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JOURNAL  
OF THE  
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OF THE  
STATE OF NEW YORK

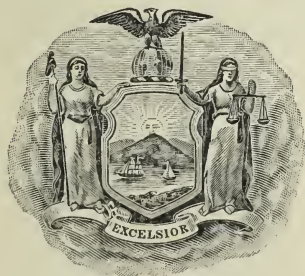
AT THEIR  
ONE HUNDRED AND THIRTIETH SESSION

BEGUN AND HELD AT THE CAPITOL IN THE CITY OF ALBANY,  
ON WEDNESDAY, THE SECOND DAY OF JANUARY, 1907

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VOLUME III

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ALBANY.  
J. B. LYON COMPANY, STATE PRINTERS  
1907



APRIL 12.]

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1907-1907a  
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Law, in relation to the boundary line between the State of New York and the State of Vermont" (Rec. No. 209), was read the second time.

On motion of Mr. Patton, said bill was placed on the order of third reading.

The Senate bill (No. 747) entitled "An act to amend the Railroad Law, in relation to the inspection and care of steam locomotives" (Rec. No. 178), was read the second time.

On motion of Mr. Frisbie, said bill was placed on the order of third reading.

The Senate bill (No. 1015) entitled "An act making an appropriation toward rebuilding the State Normal School at New Paltz and authorizing an exchange of sites" (Rec. No. 197), was read the second time.

On motion of Mr. Cunningham, said bill was placed on the order of third reading.

The bill (No. 2128) entitled "An act to provide for the government of and to supplement the provisions of law relating to the city of Syracuse" (Int. No. 1009), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 107

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Merritt	Sheridan
Averill	Eggleston	Hamn	Mills	Shuttleworth
Baldwin	Eichhorn	Harper	Moreland	Sinclair
Baumann	Farrell	Harris	Morgan	Smith C
Blue	Ferguson	Hart	Murphy C F	Smith Myron
Boshart	Feth	Hoey	Murphy G W	Staley
Brown	Filley	Holmes	Nevins	Stevenson
Buckley	Foley C F	Hooper	Newton	Stratton
Burhyte	Fowler	Hubbs	Norton	Surpluss
Burns	Francis	Hurd	O'Brian	Volk
Cavanaugh	Frisbie	Jacobs	Oliver	Voss
Chamberlain	Ganly	Keller	Parker	Waddell
Cole	Garbe	Lansing	Patton	Wagner

Colné	Glore	Lewis	Phillips	Walters
Conklin	Gluck	Lowe	Prince	Waters
Conrady	Glynn	Lupton	Ralston	Weimert
Cunningham	Goldberg	Maher	Reece	West
De Groot	Gray	Mallon	Rogers	Whitley
Dominy	Green	Mance	Schmidt	Whitney G H
Donnelly	Gunderman	Marlatt	Schoeneck	Winters
Dowling	Haines	Matthews	Schulz	Yale
Draper	Hamilton			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 135) entitled "An act to release to Maggie Hurst Murphy all the right, title and interest of the people of the State of New York, acquired by escheat in and to certain real estate, situate in the city of Syracuse, county of Onondaga and State of New York" (Int. No. 135), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

AYES 107

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Merritt	Sheridan
Averill	Eggleston	Hamn	Mills	Shuttleworth
Baldwin	Eichhorn	Harper	Moreland	Sinclair
Baumann	Farrell	Harcis	Morgan	Smith C
Blue	Ferguson	Hart	Murphy C F	Smith Myron
Boshart	Feth	Hoey	Murphy G W	Staley
Brown	Fillee	Holmes	Nevins	Stevenson
Buckley	Foley C F	Hooper	Newton	Stratton
Burhyte	Fowler	Hubbs	Norton	Surpluss
Burns	Francis	Hurd	O'Brien	Volk
Cavanaugh	Frisbie	Jacobs	Oliver	Voss
Chamberlain	Ganly	Keller	Parker	Waddell
Cole	Garbe	Lansing	Patton	Wagner
Colné	Glore	Lewis	Phillips	Walters
Conklin	Gluck	Lowe	Prince	Waters
Conrady	Glynn	Lupton	Ralton	Weimert
Cunningham	Goldberg	Maher	Reece	West
De Groot	Gray	Mallon	Rogers	Whitley
Dominy	Green	Mance	Schmidt	Whitney G-H
Donnelly	Gunderman	Marlatt	Schoeneck	Winters
Dowling	Haines	Matthews	Schulz	Yale
Draper	Hamilton			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 437) entitled "An act to release to Frank H. Cothren all the right, title and interest of the people of the State of New York in and to certain real estate situate in the city of New York, county of Kings and State of New York" (Int. No. 428), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

AYES 107

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Merritt	Sheridan
Averill	Eggleston	Hamn	Mills	Shuttleworth
Baldwin	Eichhorn	Harper	Moreland	Sinclair
Baumann	Farrell	Harris	Morgan	Smith C
Blue	Ferguson	Hart	Murphy C F	Smith Myron
Boshart	Feth	Hoey	Murphy G W	Staley
Brown	Filey	Holmes	Nevins	Stevenson
Buckley	Foley C F	Hooper	Newton	Stratton
Burhyte	Fowler	Hubbs	Norton	Surpless
Burns	Francis	Hurd	O'Brian	Volk
Cavanaugh	Frisbie	Jacobs	Oliver	Voss
Chamberlain	Ganly	Keller	Parker	Waddell
Cole	Garbe	Lansing	Patton	Wagner
Colné	Glore	Lewis	Phillips	Walters
Conklin	Gluck	Lowe	Prince	Waters
Conrady	Glynn	Lupton	Ralston	Weimert
Cunningham	Goldberg	Maher	Reece	West
De Groot	Gray	Mallon	Rogers	Whitley
Dominy	Green	Mance	Schmidt	Whitney G H
Donnelly	Gunderman	Marlatt	Schoeneck	Winters
Dowling	Haines	Matthews	Schulz	Yale
Draper	Hamilton			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1480) entitled "An act to amend the Consolidated School Law, in relation to apportionment of school funds" (Int. No. 1228), having been announced for a third reading,

On motion of Mr. Oliver, and by unanimous consent, said bill

was ordered placed on the third reading calendar for Monday next.

The bill (No. 2036) entitled "An act to establish a police pension fund for the city of Poughkeepsie" (Int. No. 1402), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 107

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Merritt	Sheridan
Averill	Eggleston	Hamn	Mills	Shuttleworth
Baldwin	Eichhorn	Harper	Moreland	Sinclair
Baumann	Farrell	Harris	Morgan	Smith C
Blue	Ferguson	Hart	Murphy C F	Smith Myron
Boshart	Feth	Hoev	Murphy G W	Staley
Brown	Filley	Holmes	Nevins	Stevenson
Buckley	Foley C F	Hooper	Newton	Stratton
Burhyte	Fowler	Hubbs	Norton	Surpluss
Burns	Francis	Hurd	O'Brian	Volk
Cavanaugh	Frisbie	Jacobs	Oliver	Voss
Chamberlain	Ganly	Keller	Parker	Waddell
Cole	Garbe	Lansing	Patton	Wagner
Colné	Glore	Lewis	Phillips	Walters
Conklin	G'uck	Lowe	Prince	Waters
Conrady	Glynn	Lupton	Ralston	Weimert
Cunningham	Goldberg	Maher	Reece	West
De Groot	Gray	Mallon	Rogers	Whitley
Dominy	Green	Mance	Schmidt	Whitney G H
Donnelly	Gunderman	Marlatt	Schoeneck	Winters
Dowling	Haines	Matthews	Schulz	Yale
Draper	Hamilton			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2035) entitled "An act to provide for the keeping of surgical supplies and appliances in factories" (Int. No. 564), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 107

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Merritt	Sheridan
Averill	Eggleston	Hamn	Mills	Shuttleworth
Baldwin	Eichhorn	Harper	Moreland	Sinclair
Baumann	Farrell	Harris	Morgan	Smith C
Blue	Ferguson	Hart	Murphy C F	Smith Myron
Boshart	Feth	Hoey	Murphy G W	Staley
Brown	Filley	Holmes	Nevins	Stevenson
Buckley	Foley C F	Hooper	Newton	Stratton
Burhyte	Fowler	Hubbs	Norton	Surpluss
Burns	Francis	Hurd	O'Brian	Volk
Cavanaugh	Frisbie	Jacobs	Oliver	Voss
Chamberlain	Ganly	Keller	Parker	Waddell
Cole	Garbe	Lansing	Patton	Wagner
Colné	Glore	Lewis	Phillips	Walters
Conklin	Gluck	Lowe	Prince	Waters
Conrady	Glynn	Lupton	Ralston	Weimert
Cunningham	Goldberg	Maher	Reece	West
De Groot	Gray	Mallon	Rogers	Whitley
Dominy	Green	Mance	Schmidt	Whitney G H
Donnelly	Gunderman	Marlatt	Schoeneck	Winters
Dowling	Haines	Matthews	Schulz	Yale
Draper	Hamilton			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1203) entitled "An act to authorize the Comptroller of the State of New York to hear and determine the application of Arthur Dreyer, for the cancellation of a tax sale made by the said Comptroller in the year eighteen hundred and ninety-five, against lot number twenty on map of property on the north shore of Staten Island, belonging to John C. Thompson, situated in the former town of Northfield, now the third ward of the borough of Richmond, county of Richmond, and State of New York" (Int. No. 1039), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 107

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Merritt	Sheridan
Averill	Eggleston	Hamn	Mills	Shuttleworth
Baldwin	Eichhorn	Harper	Moreland	Sinclair
Baumann	Farrell	Harris	Morgan	Smith C
Blue	Ferguson	Hart	Murphy C F	Smith Myron
Boshart	Feth	Hoey	Murphy G W	Staley
Brown	Filley	Holmes	Nevins	Stevenson
Buckley	Foley C F	Hooper	Newton	Stratton
Burhyte	Fowler	Hubbs	Norton	Surpless
Burns	Francis	Hurd	O'Brian	Volk
Cavanaugh	Frisbie	Jacobs	Oliver	Voss
Chamberlain	Ganly	Keller	Parker	Waddell
Cole	Garbe	Lansing	Patton	Wagner
Colné	Glore	Lewis	Phillips	Walters
Conklin	Gluck	Lowe	Prince	Waters
Conrady	Glynn	Lupton	Ralston	Weimert
Cunningham	Goldberg	Maher	Reece	West
De Groot	Gray	Mallon	Rogers	Whitley
Dominy	Green	Mance	Schmidt	Whitney G H
Donnelly	Gunderman	Marlatt	Schoeneck	Winters
Dowling	Haines	Matthews	Schulz	Yale
Draper	Hamilton			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1618) entitled "An act to amend chapter one hundred and fourteen of the Laws of nineteen hundred and four, entitled 'An act to release to the owners of the fee certain minerals and mining rights acquired by the State by confiscation and by reason of alienage of the former owners thereof, in the county of Putnam,' relative to the release of such minerals and mining rights acquired by the State by purchase" (Int. No. 1308), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

AYES 107

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Merritt	Sheridan
Averill	Eggleston	Hamn	Mills	Shuttleworth
Baldwin	Eichhorn	Harper	Moreland	Sinclair

Baumann	Farrell	Harris	Morgan	Smith C
Blue	Ferguson	Hart	Murphy C F	Smith Myron
Boshart	Feth	Hoey	Murphy G W	Staley
Brown	Filley	Holmes	Nevins	Stevenson
Buckley	Foley C F	Hooper	Newton	Stratton
Burhyte	Fowler	Hubbs	Norton	Surpless
Burns	Francis	Hurd	O'Brian	Volk
Cavanaugh	Frisbie	Jacobs	Oliver	Voss
Chamberlain	Ganly	Keller	Parker	Waddell
Cole	Garbe	Lansing	Patton	Wagner
Colné	Glore	Lewis	Phillips	Walters
Conklin	Gluck	Lowe	Prince	Waters
Conrady	Glynn	Lupton	Ralston	Weimert
Cunningham	Goldberg	Maher	Reece	West
De Groot	Gray	Mallon	Rogers	Whitley
Dominy	Green	Mance	Schmidt	Whitney G H
Donnelly	Gunderman	Marlatt	Schoeneck	Winters
Dowling	Haines	Matthews	Schulz	Yale
Draper	Hamilton			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2054) entitled "An act to amend the Agricultural Law, relative to prohibiting the use of unclean or unsanitary cans or receptacles for the transportation or sale of milk or milk products, and appointment of inspectors" (Int. No. 1049), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 107

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Merritt	Sheridan
Averill	Eggleston	Hamn	Mills	Shuttleworth
Baldwin	Eichhorn	Harper	Moreland	Sinclair
Baumann	Farrell	Harris	Morgan	Smith C
Blue	Ferguson	Hart	Murphy C F	Smith Myron
Boshart	Feth	Hoey	Murphy G W	Staley
Brown	Filley	Holmes	Nevins	Stevenson
Buckley	Foley C F	Hooper	Newton	Stratton
Burhyte	Fowler	Hubbs	Nortno	Surpless
Burns	Francis	Hurd	O'Brian	Volk
Cavanaugh	Frisbie	Jacobs	Oliver	Voss
Chamberlain	Ganly	Keller	Parker	Waddell
Cole	Garbe	Lansing	Patton	Wagner

Colné	Glore	Lewis	Phillips	Walters
Conklin	Gluck	Lowe	Prince	Waters
Conrady	Glynn	Lupton	Ralston	Weimert
Cunningham	Goldberg	Maher	Reece	West
De Groot	Gray	Mallon	Rogers	Whitley
Dominy	Green	Mance	Schmidt	Whitney G H
Donnelly	Gunderman	Marlatt	Schoeneck	Wintels
Dowling	Haines	Matthews	Schulz	Yale
Draper	Hamilton			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2038) entitled "An act to provide for the laying out of a public park or playground in the city of New York, between Fifty-sixth and Seventy-fourth streets and east of Second avenue" (Int. No. 575), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 107

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Merritt	Sheridan
Averill	Eggleston	Hamn	Mills	Shuttleworth
Baldwin	Eichhorn	Harper	Moreland	Sinclair
Baumann	Farrell	Harris	Morgan	Smith C
Blue	Ferguson	Hart	Murphy C F	Smith Myron
Boshart	Feth	Hoey	Murphy G W	Staley
Brown	Filley	Holmes	Nevins	Stevenson
Buckley	Foley C F	Hooper	Newton	Stratton
Burhyte	Fowler	Hubbs	Norton	Surpluss
Burns	Francis	Hurd	O'Brian	Volk
Cavanaugh	Frisbie	Jacobs	Oliver	Voss
Chamberlain	Ganly	Keller	Parker	Waddell
Cole	Garbe	Lansing	Patton	Wagner
Colné	Glore	Lewis	Phillips	Walters
Conklin	Gluck	Lowe	Prince	Waters
Conrady	Glynn	Lupton	Ralston	Weimert
Cunningham	Goldberg	Maher	Reece	West
De Groot	Gray	Mallon	Rogers	Whitley
Dominy	Green	Mance	Schmidt	Whitney G H
Donnelly	Gunderman	Marlatt	Schoeneck	Winters
Dowling	Haines	Matthews	Schulz	Yale
Draper	Hamilton			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1289) entitled "An act to amend the Insanity Law, in relation to hospital attorneys" (Int. No. 437), having been announced for a third reading,

On motion of Mr. Oliver, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 1017) entitled "An act to provide for the taxation for school purposes of the lands owned by the State and situated within the boundaries of school districts in the towns of Hyde Park and Poughkeepsie, Dutchess county, New York" (Int. No. 902), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 107

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Merritt	Sheridan
Averill	Eggleston	Hamn	Mills	Shuttleworth
Baldwin	Eichhorn	Harper	Moreland	Sinclair
Baumann	Farrell	Harris	Morgan	Smith C
Blue	Ferguson	Hart	Murphy C F	Smith Myron
Boshart	Feth	Hoey	Murphy G W	Staley
Brown	Filley	Holmes	Nevins	Stevenson
Buckley	Foley C F	Hooper	Newton	Stratton
Burhyte	Fowler	Hubbs	Norton	Surpless
Burns	Francis	Hurd	O'Brian	Volk
Cavanaugh	Frisbie	Jacobs	Oliver	Voss
Chamberlain	Ganly	Keller	Parker	Waddell
Cole	Garbe	Lansing	Patton	Wagner
Colné	Glore	Lewis	Phillips	Walters
Conklin	Gluck	Lowe	Prince	Waters
Conrad	Glynn	Lupton	Ralston	Weimert
Cunningham	Goldberg	Maher	Reece	Wells
De Groot	Gray	Mallon	Rogers	Whitley
Dominy	Green	Mance	Schmidt	Whitney G H
Donnelly	Gunderman	Marlatt	Schoeneck	Winters
Dowling	Haines	Matthews	Schulz	Yale
Draper	Hamilton			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1609) entitled "An act to extend the time of the Buffalo, Niagara Falls and Rochester Railway Company, its successors or assigns, to begin the construction of its road, to expend thereon ten per centum of the amount of its capital, and to finish its road and to put it in operation" (Int. No. 1298), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 107

NOES 00

Those who voted in the affirmative were:

Apgar	Du lley	Hammond	Merritt	Sheridan
Averill	Eggleston	Hamn	Mills	Shuttleworth
Baldwin	Eichhorn	Harper	Moreland	Sinclair
Baumann	Farrell	Harris	Morgan	Smith C
Blue	Ferguson	Hart	Murphy C F	Smith Myron
Bos'hart	Feth	Hoey	Murphy G W	Staley
Brown	Filley	Holmes	Nevins	Stevenson
Buckley	Foley C F	Hooper	Newton	Stratton
Burhyte	Fowler	Hubbs	Norton	Surpluss
Burns	Francis	Hurd	O'Brian	Volk
Cavanaugh	Frisbie	Jacobs	Oliver	Voss
Chamberlain	Ganly	Keller	Parker	Waddell
Cole	Garbe	Lansing	Patton	Wagner
Colné	Glore	Lewis	Phillips	Walters
Conklin	Gluck	Lowe	Prince	Waters
Conrady	Glynn	Lupton	Ralston	Weimert
Cunningham	Goldberg	Maher	Reece	West
De Groot	Gray	Mallon	Rogers	Whitley
Dominy	Green	Mance	Schmidt	Whitney G H
Donnelly	Gunderman	Marlatt	Schoeneck	Winters
Dowling	Haines	Matthews	Schulz	Yale
Draper	Hamilton			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1808) entitled "An act to amend chapter sixty of the Laws of nineteen hundred and two, entitled 'An act to simplify the procedure, facilitate the settlement and reduce the expenses of receivers on dissolution of moneyed corporations,' in relation to the employment of counsel" (Int. No. 1418), was

read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 107

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Merritt	Sheridan
Averill	Eggleston	Hamn	Mills	Shuttleworth
Baldwin	Eichhorn	Harper	Moreland	Sinclair
Baumann	Farrell	Harris	Morgan	Smith C
Blue	Ferguson	Hart	Murphy C F	Smith Myron
Boshart	Feth	Hoey	Murphy G W	Staley
Brown	Filley	Holmes	Newins	Stevenson
Buckley	Foley C F	Hooper	Newton	Stratton
Burhyte	Fowler	Hubbs	Norton	Surpress
Burns	Francis	Hurd	O'Brian	Volk
Cavanaugh	Frisbie	Jacobs	Oliver	Voss
Chamberlain	Ganly	Keller	Parker	Waddell
Cole	Garbe	Lansing	Patton	Wagner
Colné	Glore	Lewis	Phillips	Walters
Conklin	Gluck	Lowe	Prince	Waters
Conrady	Glynn	Lupton	Ralston	Weimert
Cunningham	Goldberg	Maher	Reece	West
De Groot	Gray	Mallon	Rogers	Whitley
Dominy	Green	Mance	Schmidt	Whitney G H
Donnelly	Gunderman	Marlatt	Schoeneck	Winters
Dowling	Haines	Matthews	Schulz	Yale
Draper	Hamilton			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1807) entitled "An act to amend chapter sixty of the Laws of nineteen hundred and two, entitled 'An act to simplify the procedure, facilitate the settlement and reduce the expenses of receivers on dissolution of moneyed corporations,' in relation to notice to creditors" (Int. No. 1417), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 107

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Merritt	Sheridan
Averill	Eggleston	Hamn	Mills	Shuttleworth
Baldwin	Eichhorn	Harper	Moreland	Sinclair
Baumann	Farrell	Harris	Morgan	Smith C
Blue	Ferguson	Hart	Murphy C F	Smith Myron
Boshart	Feth	Hoev	Murphy G W	Staley
Brown	Filley	Holmes	Nevins	Stevenson
Buckley	Foley C F	Hooper	Newton	Stratton
Burhyte	Fowler	Hubbs	Norton	Surpluss
Burns	Francis	Hurd	O'Brian	Volk
Cavanaugh	Frisbie	Jacobs	Oliver	Voss
Chamberlain	Ganly	Keller	Parker	Waddell
Cole	Garbe	Lansing	Patton	Wagner
Colné	Glore	Lewis	Phillips	Walters
Conklin	Gluck	Lowe	Prince	Waters
Conrady	Glynn	Lupton	Ralston	Weimert
Cunningham	Goldberg	Maher	Reece	West
De Groot	Gray	Mallon	Rogers	Whitley
Dominy	Green	Mance	Schmidt	Whitney G H
Donnelly	Gunderman	Marlatt	Schoeneck	Winters
Dowling	Haines	Matthews	Schulz	Yale
Draper	Hamilton			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1744) entitled "An act to amend the Code of Civil Procedure, relating to the discharge of mechanic's lien" (Int. No. 1373), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 107

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Merritt	Sheridan
Averill	Eggleston	Hamn	Mills	Shuttleworth
Baldwin	Eichhorn	Harper	Moreland	Sinclair

Baumann	Farrell	Harris	Morgan	Smith C
Blue	Ferguson	Hart	Murphy C F	Smith Myron
Boshart	Feth	Hoey	Murphy G W	Staley
Brown	Filley	Holmes	Nevins	Stevenson
Buckley	Foley C F	Hooper	Newton	Stratton
Burhyte	Fowler	Hubbs	Norton	Surpless
Burns	Francis	Hurd	O'Brian	Volk
Cavanaugh	Frisbie	Jacobs	Oliver	Voss
Chamberlain	Ganly	Keller	Parker	Waddell
Cole	Garbe	Lansing	Patton	Wagner
Colné	Glore	Lewis	Phillips	Walters
Conklin	Gluck	Lowe	Prince	Waters
Conrady	Glynn	Lupton	Ralston	Weimert
Cunningham	Goldberg	Maher	Reece	West
De Groot	Gray	Mallon	Rogers	Whitley
Dominy	Green	Mance	Schmidt	Whitney G H
Donnelly	Gunderman	Marlatt	Schoeneck	Winters
Dowling	Haines	Matthews	Schulz	Yale
Draper	Hamilton			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1954) entitled "An act to amend the Religious Corporations Law, in relation to the True Reformed Dutch Church in the United States of America" (Int. No. 1502), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 107

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Merritt	Sheridan
Averill	Eggleston	Hamn	Mills	Shuttleworth
Baldwin	Eichhorn	Harper	Moreland	Sinclair
Baumann	Farrell	Harris	Morgan	Smith C
Blue	Ferguson	Hart	Murphy C F	Smith Myron
Boshart	Feth	Hoey	Murphy G W	Staley
Brown	Filley	Holmes	Nevins	Stevenson
Buckley	Foley C F	Hooper	Newton	Stratton
Burhyte	Fowler	Hubbs	Norton	Surpless
Burns	Francis	Hurd	O'Brian	Volk
Cavanaugh	Frisbie	Jackson	Oliver	Voss
Chamberlain	Ganly	Keller	Parker	Waddell
Cole	Garbe	Lansing	Patton	Wagner
Colné	Glore	Lewis	Phillips	Walters
Conklin	Gluck	Lowe	Prince	Waters

Conrady	Glynn	Lupton	Ralston	Weimert
Cunningham	Goldberg	Maher	Reece	West
De Groot	Gray	Mallon	Rogers	Whitley
Dominy	Green	Mance	Schmidt	Whitney G H
Donnelly	Gunderman	Marlatt	Schoeneck	Winters
Dowling	Haines	Matthews	Schulz	Yale
Draper	Hamilton			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 937) entitled "An act to amend the Forest, Fish and Game Law, in relation to fishing with nets in Hudson and Delaware rivers and adjacent waters" (Rec. No. 170), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present:

AYES 107

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Merritt	Sheridan
Averill	Eggleston	Hamn	Mills	Shuttleworth
Baldwin	Eichhorn	Harper	Moreland	Sinclair
Baumann	Farrell	Harris	Morgan	Smith C
Blue	Ferguson	Hart	Murphy C F	Smith Myron
Boshart	Feth	Hoey	Murphy G W	Staley
Brown	Filley	Holmes	Nevins	Stevenson
Buckley	Foley C F	Hooper	Newton	Stratton
Burhyte	Fowler	Hubbs	Norton	Surpluss
Burns	Francis	Hurd	O'Brian	Volk
Cavanaugh	Frisbie	Jacobs	Oliver	Voss
Chamberlain	Ganly	Keller	Parker	Wadde'l
Cole	Garbe	Lansing	Patton	Wagner
Colné	Glore	Lewis	Phillips	Walters
Conklin	Gluck	Lowe	Prince	Waters
Conrady	Glynn	Lupton	Ralston	Weimert
Cunningham	Goldberg	Maher	Reece	West
De Groot	Gray	Mallon	Rogers	Whitley
Dominy	Green	Mance	Schmidt	Whitney G H
Donnelly	Gunderman	Marlatt	Schoeneck	Winters
Dowling	Haines	Matthews	Schulz	Yale
Draper	Hamilton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 934) entitled "An act to amend the Tax Law, in regard to taxation of State lands in towns of Dannemora and Altona, in Clinton county" (Rec. No. 169), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 107

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Merritt	Sheridan
Averill	Eggleston	Hamn	Mills	Shuttleworth
Baldwin	Eichlorn	Harper	Moreland	Sinclair
Baumann	Farrell	Harris	Morgan	Smith C
Blue	Ferguson	Hart	Murphy C F	Smith Myron
Boshart	Feth	Hoey	Murphy G W	Staley
Brown	Filley	Holmes	Nevins	Stevenson
Buckley	Foley C F	Hooper	Newton	Stratton
Burhyte	Fowler	Hubbs	Norton	Surpless
Burns	Francis	Hurd	O'Brian	Volk
Cavanaugh	Frisbie	Jacobs	Oliver	Voss
Chamberlain	Ganly	Keller	Parker	Waddell
Cole	Garbe	Lansing	Patton	Wagner
Colné	Glore	Lewis	Phillips	Walters
Conklin	Gluck	Lowe	Prince	Waters
Conrady	Glynn	Lupton	Ralston	Weimert
Cunningham	Goldberg	Maher	Reece	West
De Groot	Gray	Mallon	Rogers	Whitley
Dominy	Green	Mance	Schmidt	Whitney G H
Donnelly	Gunderman	Marlatt	Schoeneck	Winters
Dowling	Haines	Matthews	Schulz	Yale
Draper	Hamilton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 902) entitled "An act to amend the Navigation Law, in relation to regattas held on certain waters within the jurisdiction of the State" (Rec. No. 147), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 107

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Merritt	Sheridan
Averill	Eggleston	Hamn	Mills	Shuttleworth
Baldwin	Eichhorn	Harper	Moreland	Sinclair
Baumann	Farrell	Harris	Morgan	Smith C
Blue	Ferguson	Hart	Murphy C F	Smith Myron
Boshart	Feth	Hoey	Murphy G W	Staley
Brown	Filley	Holmes	Nevins	Stevenson
Buckley	Foley C F	Hooper	Newton	Stratton
Burhyte	Fowler	Hubbs	Norton	Surpless
Burns	Francis	Hurd	O'Brian	Volk
Cavanaugh	Frisbie	Jacobs	Oliver	Voss
Chamberlain	Ganly	Keller	Parker	Waddell
Cole	Garbe	Lansing	Patton	Wagner
Colné	Glore	Lewis	Phillips	Walters
Conklin	Gluck	Lowe	Prince	Waters
Conrady	Glynn	Lupton	Ralston	Weimert
Cunningham	Goldberg	Maher	Reece	West
De Groot	Gray	Mallon	Rogers	Whitley
Dominy	Green	Mance	Schmidt	Whitney G H
Donnelly	Gunderman	Marlatt	Schoeneck	Winters
Dowling	Haines	Matthews	Schulz	Yale
Draper	Hamilton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 939) entitled "An act to amend chapter sixty-six of the Laws of nineteen hundred and six, entitled 'An act to make the office of sheriff of the county of Warren, a salaried office,' in relation to the payment of subordinates and the number of deputies" (Rec. No. 172), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 107

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Merritt	Sheridan
Averill	Eggleston	Hamn	Mills	Shuttleworth
Baldwin	Eichhorn	Harper	Moreland	Sinclair
Baumann	Farrell	Harris	Morgan	Smith C
Blue	Ferguson	Hart	Murphy C F	Smith Myron
Boshart	Feth	Hoey	Murphy G W	Staley
Brown	Filley	Holmes	Nevins	Stevenson
Buckley	Foley C F	Hooper	Newton	Stratton
Burhyte	Fowler	Hubbs	Norton	Surpluss
Burns	Francis	Hurd	O'Brian	Volk
Cavanaugh	Frisbie	Jacobs	Oliver	Voss
Chamberlain	Garly	Keller	Parker	Waddell
Cole	Garbe	Lansing	Patton	Wagner
Colné	Glore	Lewis	Phillips	Walters
Conklin	Gluck	Lowe	Prince	Waters
Conrady	Glynn	Lupton	Ralston	Weimert
Cunningham	Goldberg	Maher	Reece	West
De Groot	Gray	Mallon	Rogers	Whitley
Dominy	Green	Mance	Schmidt	Whitney G H
Donnelly	Gunderman	Marlatt	Schoeneck	Winters
Dowling	Haines	Matthews	Schulz	Yale
Draper	Hamilton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 590) entitled "An act to amend the Greater New York charter, relative to the apportionment of taxes on undivided parcels of real estate" (Rec. No. 156), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 107

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Merritt	Sheridan
Averill	Eggleston	Hamn	Mills	Shuttleworth
Baldwin	Eichhorn	Harper	Moreland	Sinclair
Baumann	Farrell	Harris	Morgan	Smith C

Blue	Ferguson	Hart	Murphy C F	Smith Myron
Boshart	Feth	Hoey	Murphy G W	Staley
Brown	Filley	Holmes	Nevins	Stevenson
Buckley	Foley C F	Hooper	Newton	Stratton
Burhyte	Fowler	Hubbs	Norton	Surpless
Burns	Francis	Hurd	O'Brian	Volk
Cavanaugh	Frisbie	Jacobs	Oliver	Voss
Chamberlain	Ganly	Keller	Parker	Waddell
Cole	Garbe	Lansing	Patton	Wagner
Colné	Glore	Lewis	Phillips	Walters
Conklin	Gluck	Lowe	Prince	Waters
Conrady	Glynn	Lupton	Ralston	Weimert
Cunningham	Goldberg	Maher	Reece	West
De Groot	Gray	Mallon	Rogers	Whitley
Dominy	Green	Mance	Schmidt	Whitney G H
Donnelly	Gunderman	Marlatt	Schoeneck	Winters
Dowling	Haines	Matthews	Schulz	Yale
Draper	Hamilton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 772) entitled "An act to amend the Tax Law, in relation to taxable transfers" (Rec. No. 151), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 107

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Merritt	Sheridan
Averill	Eggleston	Hamn	Mills	Shuttleworth
Baldwin	Eichhorn	Harper	Moreland	Sinclair
Baumann	Farrell	Harris	Morgan	Smith C
Blue	Ferguson	Hart	Murphy C F	Smith Myron
Boshart	Feth	Hoey	Murphy G W	Staley
Brown	Filley	Holmes	Nevins	Stevenson
Buckley	Foley C F	Hooper	Newton	Stratton
Burhyte	Fowler	Hubbs	Norton	Surpless
Burns	Francis	Hurd	O'Brian	Volk
Cavanaugh	Frisbie	Jacobs	Oliver	Voss
Chamberlain	Ganly	Keller	Parker	Waddell
Cole	Garbe	Lansing	Patton	Wagner
Colné	Glore	Lewis	Phillips	Walters
Conklin	Gluck	Lowe	Prince	Waters
Conrady	Glynn	Lupton	Ralston	Weimert

Cunningham	Goldberg	Maher	Reece	West
De Groot	Gray	Mallon	Rogers	Whitley
Dominy	Green	Mance	Schmidt	Whitney G H
Donnelly	Gunderman	Marlatt	Schoeneck	Winters
Dowling	Haines	Matthews	Schulz	Yale
Draper	Hamilton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 551) entitled "An act to empower the comptroller of the city of New York to set aside and cancel certain assessments, levied and assessed during the years eighteen hundred and ninety-nine and nineteen hundred against certain real property of the Williams Avenue Methodist Episcopal Church in the borough of Brooklyn" (Rec. No. 166), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 107

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Merritt	Sheridan
Averill	Eggleston	Hamn	Mills	Shuttleworth
Baldwin	Eichhorn	Harper	Moreland	Sinclair
Baumann	Farrell	Harris	Morgan	Smith C
Blue	Ferguson	Hart	Murphy C F	Smith Myron
Boshart	Feth	Hoey	Murphy G W	Staley
Brown	Filley	Holmes	Nevins	Stevenson
Buckley	Foley C F	Hooper	Newton	Stratton
Burhyte	Fowler	Hubbs	Norton	Surpless
Burns	Francis	Hurd	O'Brian	Volk
Cavanaugh	Frisbie	Jacobs	Oliver	Voss
Chamberlain	Ganly	Keller	Parker	Waddell
Cole	Garbe	Lansing	Patton	Wagner
Colné	Glore	Lewis	Phillips	Walters
Conklin	Gluck	Lowe	Prince	Waters
Conrady	Glynn	Lupton	Ralston	Weimert
Cunningham	Goldberg	Maher	Reece	West
De Groot	Gray	Mallon	Rogers	Whitley
Dominy	Green	Mance	Schmidt	Whitney G H
Donnelly	Gunderman	Marlatt	Schoeneck	Winters
Dowling	Haines	Matthews	Schulz	Yale
Draper	Hamilton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 761) entitled "An act to amend the Greater New York charter, by enacting a new section, to be known as section eight hundred and twenty-three-e, relative to the acquirement of certain water front property between Montgomery street and East Sixteenth street, on the East river, borough of Manhattan, city of New York" (Rec. No. 158), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 107

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Merritt	Sheridan
Averill	Eggleston	Hamn	Mills	Shuttleworth
Baldwin	Eichhorn	Harper	Moreland	Sinclair
Baumann	Farrell	Harris	Morgan	Smith C
Blue	Ferguson	Hart	Murphy C F	Smith Myron
Boshart	Feth	Hoey	Murphy G W	Staley
Brown	Filley	Holmes	Nevins	Stevenson
Buckley	Foley C F	Hooper	Newton	Stratton
Burhyte	Fowler	Hubbs	Norton	Surpless
Burns	Francis	Hurd	O'Brian	Volk
Cavanaugh	Frisbie	Jacobs	Oliver	Voss
Chamberlain	Ganly	Keller	Parker	Waddell
Cole	Garbe	Lansing	Patton	Wagner
Colné	Glore	Lewis	Phillips	Walters
Conklin	Gluck	Lowe	Prince	Waters
Conrady	Glynn	Lupton	Ralston	Weimert
Cunningham	Goldberg	Maher	Reece	West
De Groot	Gray	Mallon	Rogers	Whitley
Dominy	Green	Mance	Schmidt	Whitney G H
Donnelly	Gunderman	Marlatt	Schoeneck	Winters
Dowling	Haines	Matthews	Schulz	Yale
Draper	Hamilton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 922) entitled "An act to authorize the commissioners of the sinking fund of the city of New York, to cancel and annul certain assessments affecting the property of the Euclid Avenue Baptist Church in the borough of Brooklyn, and to declare such property hereafter exempt from such assessments" (Rec. No. 173), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 107

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Merritt	Sheridan
Averill	Eggleston	Hamn	Mills	Shuttleworth
Baldwin	Eichhorn	Harper	Moreland	Sinclair
Baumann	Farrell	Harris	Morgan	Smith C
Blue	Ferguson	Hart	Murphy C F	Smith Myron
Boshart	Feth	Hoey	Murphy G W	Staley
Brown	Filley	Holmes	Nevins	Stevenson
Buckley	Foley C F	Hooper	Newton	Stratton
Burhyte	Fowler	Hubbs	Norton	Surpluss
Burns	Francis	Hurd	O'Brian	Volk
Cavanaugh	Frisbie	Jacobs	Oliver	Voss
Chamberlain	Ganly	Keller	Parker	Waddell
Cole	Garbe	Lansing	Patton	Wagner
Colné	Glore	Lewis	Phillips	Walters
Conklin	Gluck	Lowe	Prince	Waters
Conrady	Glynn	Lupton	Ralston	Weimert
Cunningham	Goldberg	Maher	Reece	West
De Groot	Gray	Mallon	Rogers	Whitley
Dominy	Green	Mance	Schmidt	Whitney G H
Donnelly	Gunderman	Marlatt	Schoeneck	Winters
Dowling	Haines	Matthews	Schulz	Yale
Draper	Hamilton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 878) entitled "An act to amend the Greater New York charter, relative to granting of authority to the commissioners of the sinking fund, subject to the approval of the board of estimate and apportionment to exchange lands of

the city of New York no longer required for a public purpose, for the lands of private owners needed for a public purpose lying within the same borough" (Rec. No. 185), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 107

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Merritt	Sheridan
Averill	Eggleston	Hamn	Mills	Shuttleworth
Baldwin	Eichhorn	Harper	Moreland	Sinclair
Baumann	Farrell	Harris	Morgan	Smith C
Blue	Ferguson	Hart	Murphy C F	Smith Myron
Boshart	Feth	Hoey	Murphy G W	Staley
Brown	Filley	Holmes	Nevins	Stevenson
Buckley	Foley C F	Hooper	Newton	Stratton
Burhyte	Fowler	Hubbs	Norton	Surpluss
Burns	Francis	Hurd	O'Brian	Volk
Cavanaugh	Frisbie	Jacobs	Oliver	Voss
Chamberlain	Ganly	Keller	Parker	Waddell
Cole	Garbe	Lansing	Patton	Wagner
Colné	Glore	Lewis	Phillips	Walters
Conklin	Gluck	Lowe	Prince	Waters
Conrady	Glynn	Lupton	Ralston	Weimert
Cunningham	Goldberg	Maher	Reece	West
De Groot	Gray	Mallon	Rogers	Whitley
Dominy	Green	Mance	Schmidt	Whitney G H
Donnelly	Gunderman	Marlatt	Schoeneck	Winters
Dowling	Haines	Matthews	Schulz	Yale
Draper	Hamilton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 755) entitled "An act to amend chapter three hundred and thirteen of the Laws of nineteen hundred and six, entitled 'An act to amend chapter six hundred and forty-four of the Laws of nineteen hundred and five, entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of

the city of Buffalo,' relating to ward boundaries,' " relating to the boundaries of the twenty-third and twenty-fourth wards in said city of Buffalo" (Rec. No. 167), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 107

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Merritt	Sheridan
Averill	Eggleston	Hamn	Mills	Shuttleworth
Baldwin	Eichhorn	Harper	Moreland	Sinclair
Baumann	Farrell	Harris	Morgan	Smith C
Blue	Ferguson	Hart	Murphy C F	Smith Myron
Boshart	Feth	Hoey	Murphy G W	Staley
Brown	Fille	Holmes	Nevins	Stevenson
Buckley	Foley C F	Hooper	Newton	Stratton
Burhyte	Fowler	Hubbs	Norton	Surpluss
Burns	Francis	Hurd	O'Brien	Volk
Cavanaugh	Frisbie	Jacobs	Oliver	Voss
Chamberlain	Ganly	Keller	Parker	Waddell
Cole	Garbe	Lansing	Patton	Wagner
Colné	Glore	Lewis	Phillips	Walters
Conklin	Gluck	Lowe	Prince	Waters
Conrady	Glynn	Lupton	Ralston	Weimert
Cunningham	Goldberg	Maher	Reece	West
De Groot	Gray	Mallon	Rogers	Whitley
Dominy	Green	Mance	Schmidt	Whitney G H
Donnelly	Gunderman	Marlatt	Schoeneck	Winters
Dowling	Haines	Matthews	Schulz	Yale
Draper	Hamilton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 956) entitled "An act to confer certain powers on the board of supervisors and treasurer of the county of Suffolk, in respect to taxes and to validate certain compromises of taxes heretofore made by such board" (Rec. No. 171), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 107

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Merritt	Sheridan
Averill	Eggleston	Hamn	Mills	Shuttleworth
Baldwin	Eichhorn	Harper	Moreland	Sinclair
Baumann	Farrell	Harris	Morgan	Smith C
Blue	Ferguson	Hart	Murphy C F	Smith Myron
Boshart	Feth	Hoey	Murphy G W	Staley
Brown	Filley	Holmes	Nevins	Stevenson
Buckley	Foley C F	Hooper	Newton	Stratton
Burhyte	Fowler	Hubbs	Norton	Surpluss
Burns	Francis	Hurd	O'Brian	Volk
Cavanaugh	Frisbie	Jacobs	Oliver	Voss
Chamberlain	Ganly	Keller	Parker	Waddell
Cole	Garbe	Lansing	Patton	Wagner
Colné	Glore	Lewis	Phillips	Walters
Conklin	Gluck	Lowe	Prince	Waters
Conrady	Glynn	Lupton	Ralston	Weimert
Cunningham	Goldberg	Maher	Reece	West
De Groot	Gray	Mallon	Rogers	Whitley
Dominy	Green	Mance	Schmidt	Whitney G H
Donnelly	Gunderman	Marlatt	Schoeneck	Winters
Dowling	Haines	Matthews	Schulz	Yale
Draper	Hamilton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 2145) entitled "An act to amend the Liquor Tax Law, in relation to State Commissioner of Excise; Deputy Commissioners; Special Deputy Commissioners; excise taxes; liquor tax certificates and local option" (Int. No. 1610), having been announced for a third reading,

On motion of Mr. Oliver, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 590) entitled "An act in relation to compelling the issue of transfers at a certain point on the subway and elevated railroads in the city of New York" (Int. No. 562), having been announced for a third reading,

On motion of Mr. Francis, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

A communication from the Governor was received and read, in the words following:

# STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, *April 12, 1907.*

*To the Assembly:*

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 839, Senate reprint No. 926, Int. No. 774), entitled "An act to amend chapter two hundred and thirty-three of the Laws of eighteen hundred and eighty-four, entitled 'An act providing for the election and compensation of a coroner in the county of Onondaga, and for post-mortem examinations in coroners' cases in said county.'"

CHARLES E. HUGHES.

Said bill having been announced,

Mr. Hammond moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 107

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Merritt	Sheridan
Averill	Eggleston	Hamn	Mills	Shuttleworth
Baldwin	Eichhorn	Harper	Moreland	Sinclair
Baumann	Farrell	Harris	Morgan	Smith C
Blue	Ferguson	Hart	Murphy C F	Smith Myron
Boshart	Feth	Hoey	Murphy G W	Staley
Brown	Filley	Holmes	Nevins	Stevenson
Buckley	Foley C F	Hooper	Newton	Stratton
Burhyte	Fowler	Hubbs	Norton	Surpless
Burns	Francis	Hurd	O'Brian	Volk
Cavanaugh	Frisbie	Jacobs	Oliver	Voss
Chamberlain	Ganly	Keller	Parker	Waddell
Cole	Garbe	Lansing	Patton	Wagner
Colné	Glore	Lewis	Phillips	Walters

Conklin	Gluck	Lowe	Prince	Waters
Conrady	Glynn	Lupton	Ralston	Weimert
Cunningham	Goldberg	Maher	Reece	West
De Groot	Gray	Mallon	Rogers	Whitley
Dominy	Green	Mance	Schmidt	Whitney G H
Donnelly	Gunderman	Marlatt	Schoeneck	Winters
Dowling	Haines	Matthews	Schulz	Yale
Draper	Hamilton			

Mr. Hammond moved that said bill be recommitted to the committee on internal affairs, with instructions to report the same forthwith amended as follows:

Page 2, line 1, after "salary" insert "[ " and strike out other brackets.

Page 2, line 2, strike out "two"; also strike out "[ ]"; also, after "dollars", insert "]" and the following, "to be fixed by the board of supervisors of said county and paid"; also enclose "in which" in brackets, and after "which" insert "as the salaries of".

Page 2, line 3, enclose "are now paid" in brackets.

Page 2, line 4, after "allowances" insert "[ ", and after "law" insert "]" and strike out down to and including "duties" in line 6.

Page 2, line 6, before "and" insert "[ ".

Page 2, line 7, strike out "or allowance for personal expenses".

Page 2, line 9, after "coroners" insert "] ".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Apgar, from the committee on internal affairs, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. C. F. Foley offered for the consideration of the House a resolution, in the words following:

Preambles and resolutions of the New York State Assembly, for free connecting canals and the reopening of the abandoned connecting canals of Pennsylvania, New Jersey, etc., leading to the anthracite and soft coal mines, oil wells, salt deposits and lumber regions of the Keystone and other sister States.

Whereas, It is and has been a settled policy of the State of New York to improve its public water ways for the benefit of the people of this State and commerce in general, and that large sums

of money have been and are now being spent in such improvements; and

Whereas, There is now before the Assembly bill No. 1560, the title of which is as follows: "An act for the restoration of the low rate coal prices by reopening the Delaware and Hudson canal to the coal mines of Pennsylvania, and making an appropriation therefor; and

Whereas, In the early part of the past century the State of New York, unaided and alone, entered into the gigantic construction of the Erie and other canals, thus opening up great public water thoroughfares connecting the great inland lakes with a system of waterway transportation between the marvelous interior of our nation and the Atlantic seaboard, for the supreme advantage of these Union of States, which, as was predicated, brought "lasting benefits to the human race;" and

Whereas, Notwithstanding this immense outlay of the State's own public monies for the benefit of sister States, she has wisely, since declared the same free of tolls or taxes on commerce passing between States; and

Whereas, In addition to this magnanimous generosity of this great Commonwealth, it is now expending a large sum of money in improving the same, amounting to over one hundred million dollars for the still further cheapening the cost of transportation between the great western, northwestern, and southern States for the benefits alike of producers and consumers of the mighty interior and the Atlantic States; and

Whereas, In controversion to New York's most generous canal policy the State of New Jersey, Pennsylvania, Maryland, Delaware and other States have leased their canals to railroad corporations who loot at will the commerce that passes over these great natural and artificial highways of traffic, viz.: the Delaware and Raritan canal, lying between the free New York harbor and the free Delaware river, which the Pennsylvania railroad conspiracy (so declared by the United States Supreme Court) imposes a toll or tax on property, passing between States, of from 35 cents a ton to \$1.50 per ton for simply passing to and from as aforesaid, said canal being only forty-three miles in length, lying between the great ports of New York and Philadelphia, likewise the Chesapeake and Delaware canal, the connecting water link between the free Delaware river and the free Chesapeake bay of only fourteen miles in length, imposes a toll or tax on trade of from 15 cents a ton to as high as \$2 per ton for the use of this public water highway of commerce of only six hours for the passage of full laden boats and vessels traversing this short

waterway cut between the great ports of Philadelphia and Baltimore, Washington and southern and northern States; and,

Whereas, The State of Pennsylvania permits the Reading railroad corporation to levy a tribute toll of 90 cents a ton for the passage of freight over the Schuylkill canal of less than 100 miles in length, while the Albarmarle and Dismal Swamp canals are likewise burdened with a tribute or toll on commerce passing between States; and,

Whereas, New York's liberality in heretofore expending and now lavishing on her canal system in their construction and improvements thereof, this Commonwealth is seriously contemplating the re-opening of the railroad abandoned, Delaware and Hudson canal, the Chenango canal and the extension thereof, the Branch canal, the Chemung canal, the Crooked Lake canal, the Genesee Valley canal, and all the branches and feeders thereof, leading from the New Barge canal, the Cayuga and Seneca canal, and the Black River canal to the abandoned canals of Pennsylvania and New Jersey, thence to the coal mines, oil wells, lumber regions and salt deposits of this and sister States; therefore, be it

Resolved, That this toll relic of the dark and middle ages have become over-burdensome to a prohibitive degree throughout the Union of States, and to the desirable, and that this prohibitory and unwarranted taxation without representation shall hereafter become extinct.

Resolved, That the Assembly of New York, desiring to advance the general prosperity of this and sister States, directly or indirectly interested in the cheapest possible price of coal, lumber, grain and other products by providing the most economical method of water transportation, do hereby call upon the before mentioned States to forthwith abolish all taxes or tolls now levied upon trade passing over said canals between States, and thereby place themselves in a position to reap the supreme advantage of New York's improved barge canals when completed, which water highway of commerce promises to far outstrip any and all beneficent results for the human family in the world's history.

Resolved, That it is the duty of the Legislatures of the before mentioned States of New Jersey and Pennsylvania, etc., to take prompt action in the premises, in conjunction with New York's restoration of her abandoned canals, and likewise restore their canal facilities to a contemplated corresponding capacity that cheap waterways facilities may again be provided to the great coal deposits, oil fields, lumber regions and salt mines, so easily accessible to waterways communication with the barge canals of New York, the Susquehanna, Delaware, Genesee, Hudson, Black,

St. Lawrence, St. Regis and other rivers, thus affording a system of inland water transportation between the Great Lakes and the Atlantic ocean for the economical transportation of trade and commerce of the nation from the vast interior to and from the markets of the world; be it further

Resolved, That the Clerk of the Assembly of the State of New York be, and he is hereby, instructed to forward to the Governors and each member of the Legislature of the before mentioned States true copies of the foregoing preambles and resolutions, with the request that immediate and favorable action be taken in the premises. Also that an engrossed copy of the same be forwarded to President Theodore Roosevelt and a copy sent to each member of Congress and the United States; and be it further

Resolved, That 5,000 copies of the foregoing preambles and resolutions be printed for distribution and for the use of the Legislature.

which was referred to the committee on ways and means.

Mr. Burns offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 359, Int. No. 354), entitled "An act to amend chapter fifty-seven of the laws of eighteen hundred and eighty-three, entitled 'An act for the preservation of public records, maps and papers,' in relation to the compensation of persons employed in such work," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Newton offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1547, Int. No. 1254), entitled "An act to provide for raising money for celebrating in nineteen hundred and eight the one hundredth anniversary of the formation of the county of Cortland, and for establishing and correcting the historical and other public records of the county, and of the several towns, cities and villages therein," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. C. Smith offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 662, Int. No. 621), entitled "An act to amend chapter seven hundred and sixty-six of the laws of eighteen hundred and ninety-seven, entitled 'An act to abolish fine and imprisonment for non-payment of taxes' relative to poll taxes levied for highway purposes," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *April 12, 1907.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 645, Rec. No. 128), entitled "An act to authorize the village of White Plains to borrow money for the purpose of erecting a garbage incineration plant for said village," for the purpose of amendment.

By order of the Senate,

LAFAYETTE B. GLEASON,  
*Clerk.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill (No. 1374, Int. No. 595) entitled "An act to amend the Code of Civil Procedure, relating to drawing of trial jurors in the county of Queens."

Also, the bill (No. 1373, Int. No. 594) entitled "An act to amend the Code of Civil Procedure, in relation to the qualifications of trial jurors in Queens county."

Also, the bill (No. 1221, Int. No. 1058) entitled "An act to provide for supplying the village of McGrawville with water,

to authorize said village to incur indebtedness therefor and to create a board of water commissioners for said village."

Also, the bill (No. 1957, Int. No. 1356) entitled "An act approving a final order made on the fifteenth day of March in the year nineteen hundred and seven, by the State Water Supply Commission, pursuant to chapter seven hundred and thirty-four of the Laws of nineteen hundred and four, as amended by chapter four hundred and eighteen of the Laws of nineteen hundred and six, for the improvement and regulation of the flow of Canaseraga creek in the towns of North Dansville, Sparta, West Sparta, Groveland and Mount Morris, in the county of Livingston, and authorizing the work of such improvement."

Also, the bill (No. 1640, Int. No. 833) entitled "An act to amend the Forest, Fish and Game Law, in relation to the sale of trout, in Albany, Columbia, Saratoga, Schenectady, Livingston, Franklin, Saint Lawrence and Otsego counties."

Also, the bill (No. 2088, Int. No. 1575) entitled "An act making an appropriation for the State Engineer and Surveyor for the maintenance and repair of public highways improved or constructed by State aid, pursuant to chapter one hundred and fifteen of the Laws of eighteen hundred and ninety-eight," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the Senate bill (No. 560, Assembly reprint No. 2064, Rec. No. 79) entitled "An act to amend chapter nine of the general laws, known as the Executive Law, to provide for the filing by notaries public in the offices of registers of the several counties of their signatures and certificates of their appointment."

Also, the Senate bill (No. 383, Assembly reprint No. 2008, Rec. No. 66) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for mink, skunk, muskrat and foxes in certain counties."

Also, Senate bill (No. 282, Assembly reprint No. 2045, Rec. No. 74) entitled "An act to amend chapter three hundred and forty-eight of the Laws of eighteen hundred and eighty-five, entitled 'An act to authorize the appointment of stenographers for

grand juries, and to fix the compensation of such stenographers,' relative to the appointment of and salaries of grand jury stenographers of Erie county."

Also, Senate bill (No. 364, Assembly reprint No. 2046, Rec. No. 39) entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to compensation of commissioners taking depositions," with a message that they have concurred in the amendments of the Assembly thereto.

Ordered, That the Clerk return said bills to the Senate.

The Senate returned the bill (No. 1995, Int. No. 1043) entitled "An act to amend chapter three hundred and seventy-one of the Laws of nineteen hundred and three, entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady,' relative to city court constables," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Schenectady.

The Senate returned the bill (No. 1999, Int. No. 1290) entitled "An act to amend chapter two hundred and eighty-eight of the Laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Hornellsville and to change the name thereof,' generally," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Hornell.

The Senate returned the bill (No. 2006, Int. No. 665) entitled "An act to amend the Greater New York charter, in relation to the disposition of horses used in the fire, police and street cleaning departments," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 359, Int. No. 354) entitled "An act to amend chapter fifty-seven

of the Laws of eighteen hundred and eighty-three, entitled 'An act for the preservation of public records, maps and papers,' in relation to the compensation of persons employed in such work," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1547, Int. No. 1254) entitled "An act to provide for raising money for celebrating in nineteen hundred and eight the one hundredth anniversary of the formation of the county of Cortland, and for establishing and correcting the historical and other public records of the county, and of the several towns, cities and villages therein," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 662, Int. No. 621) entitled "An act to amend chapter seven hundred and sixty-six of the Laws of eighteen hundred and ninety-seven, entitled 'An act to abolish fine and imprisonment for non-payment of taxes,' relative to poll taxes levied for highway purposes," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication from the Governor was received and read, in the words following:

## STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, April 12, 1907.

*To the Assembly:*

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 359, Int. No. 354), entitled "An act to amend chapter fifty-seven of the laws of eighteen hundred and eighty-three, entitled 'An act for the preservation of public records, maps and papers,' in relation to the compensation of persons employed in such work."

CHARLES E. HUGHES.

A communication was received from Hon. George B. McClellan, mayor of the city of New York, returning Assembly bill (No. 913, Senate reprint No. 1013, Int. No. 863) entitled "An act to amend the Greater New York charter, as re-enacted by chapter four hundred and sixty-six of the Laws of nineteen hundred and one, relative to the police department," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Moreland, the House adjourned.

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### MONDAY, APRIL 15, 1907.

The House met pursuant to adjournment.

Prayer by Rev. Fred Winslow Adams, Schenectady.

On motion of Mr. Moreland, the reading of the journal of Friday, April 12, 1907, was dispensed with, and the same was approved.

Mr. Speaker presented the resolutions of the board of aldermen of the city of New York, in relation to Senate bill No. 328, which was referred to the committee on affairs of cities.

The Senate sent for concurrence the following entitled bill:

"An act to amend the Insurance Law, relative to the insurance of automobiles" (No. 945, Rec. No. 223), which was read the first time and referred to the committee on insurance.

Mr. C. F. Foley introduced a bill entitled "An act relating to retirement of exempt volunteer firemen employed by the State or any civil division thereof; granting pensions to exempt volunteer firemen and providing for the payment thereof" (Int. No. 1675), which was read the first time and referred to the committee on ways and means.

Also, "An act to repeal chapter two hundred and sixty-nine of the Laws of eighteen hundred and seventy-two, entitled 'An act authorizing the construction of a bridge across the Hudson river

at the city of Albany and incorporating the Albany and Greenbush Bridge Company' ” (Int. No. 1676), which was read the first time and referred to the committee on the judiciary.

Mr. Moreland introduced a bill entitled “An act to amend the Code of Criminal Procedure, in relation to testimony as to the sanity or insanity of defendant ” (Int. No. 1677), which was read the first time and referred to the committee on codes.

Also, “An act to amend the Executive Law, relative to the appointment of experts and providing for their compensation ” (Int. No. 1678), which was read the first time and referred to the committee on ways and means.

Mr. Strattan introduced a bill entitled “An act to enhance the general prosperity of the State by reopening and improving the abandoned Chenango canal and extension thereof to the coal mines of Pennsylvania and making an appropriation thereof ” (Int. No. 1679), which was read the first time and referred to the committee on ways and means.

Mr. Cuvillier introduced a bill entitled “An act to amend the Penal Code, relative to injury to railroad tracks ” (Int. No. 1680), which was read the first time and referred to the committee on codes.

Also “An act to amend the Penal Code, in relation to punishment of murder in the first degree ” (Int. No. 1681), which was read the first time and referred to the committee on codes.

Mr. Rogers introduced a bill entitled “An act to authorize the board of supervisors of Broome county to pay certain accounts incurred in connection with the centennial celebration in said county and to levy a tax therefor ” (Int. No. 1682), which was read the first time.

On motion of Mr. Rogers, and by unanimous consent, said bill was read the second time and ordered to third reading and referred to the committee on internal affairs.

Mr. C. F. Foley introduced a bill entitled “An act to repeal chapter one hundred and forty-six of the Laws of eighteen hundred and fifty-six, entitled ‘An act authorizing the construction of a bridge across the Hudson river at Albany ’ ” (Int. No. 1683), which was read the first time and referred to the committee on the judiciary.

By unanimous consent, Mr. Dobbs introduced a bill entitled "An act to amend generally chapter three hundred and thirty-four of the Laws of nineteen hundred and one, entitled 'An act in relation to tenement-houses in cities of the first class,' as heretofore amended" (Int. No. 1684), which was read the first time.

On motion of Mr. Dobbs, and by unanimous consent, said bill was read the second time and ordered to third reading and referred to the committee on affairs of cities.

By unanimous consent, Mr. Hooper introduced a bill entitled "An act to authorize the board of trustees of the village of Waterloo, in the county of Seneca, to issue bonds for the payment of the existing indebtedness of said village" (Int. No. 1685), which was read the first time.

On motion of Mr. Hooper, and by unanimous consent, said bill was read the second time and ordered to third reading and referred to the committee on affairs of villages.

By unanimous consent, Mr. Hart introduced a bill entitled "An act authorizing the board of managers of the Utica State Hospital to sell certain lands belonging to such hospital and providing for the disposal of the proceeds of such sale" (Int. No. 1686), which was read the first time.

On motion of Mr. Hart, and by unanimous consent, said bill was read the second time and ordered to third reading and referred to the committee on ways and means.

By unanimous consent, Mr. Nevins introduced a bill entitled "An act to amend chapter one hundred and sixty-seven of the Laws of nineteen hundred and six, entitled 'An act to make the office of county clerk of Wyoming county a salaried office, and regulating the management of said office,' generally" (Int. No. 1687), which was read the first time.

On motion of Mr. Nevins, and by unanimous consent, said bill was read the second time and ordered to third reading and referred to the committee on internal affairs.

By unanimous consent, Mr. Yale introduced a bill entitled "An act to extend the time within which the Danbury and Harlem Traction Company shall finish its road and put it in operation beyond its present construction and operation" (Int. No. 1688), which was read the first time and referred to the committee on railroads.

By unanimous consent, Mr. Gunderman introduced a bill entitled "An act to amend chapter three hundred and fifty-eight of the Laws of eighteen hundred and ninety-three, entitled 'An act to provide for the support of the poor in the city of Ithaca,' relative to providing funds for the board of health" (Int. No. 1689), which was read the first time.

On motion of Mr. Gunderman, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on affairs of cities.

By unanimous consent, Mr. Gunderman introduced a bill entitled "An act to amend chapter two hundred and twelve of the Laws of eighteen hundred and eighty-eight, entitled 'An act to incorporate the city of Ithaca,' generally" (Int. No. 1690), which was read the first time.

On motion of Mr. Gunderman, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on affairs of cities.

By unanimous consent, Mr. Gunderman introduced a bill entitled "An act to provide a fund for bridges and other permanent street improvements in the city of Ithaca" (Int. No. 1691), which was read the first time.

On motion of Mr. Gunderman, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on affairs of cities.

By unanimous consent, Mr. Brough introduced a bill entitled "An act to amend chapter three hundred and thirty-three of the Laws of nineteen hundred and one, entitled 'An act in relation to tenement-houses in cities of the first class'" (Int. No. 1692), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Prentice introduced a bill entitled "An act to amend the Primary Election Law, generally" (Int. No. 1693), which was read the first time and referred to the committee on the judiciary.

By unanimous consent, Mr. O'Brian introduced a bill entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' relating to the official printing of

said city" (Int. No. 1694), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Conrady introduced a bill entitled "An act to enable the fire commissioner of the city of New York to re-examine and determine the claim of George F. Reid for reinstatement in said department" (Int. No. 1695), which was read the first time and referred to the committee on affairs of cities.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Prentice (No. 1964, Int. No. 1508), entitled "An act to amend the Greater New York charter, by providing for an appropriation for the Legal Aid Society of the City of New York."

Also, the bill introduced by Mr. Draper (No. 1344, Int. No. 1124), entitled "An act to amend chapter one hundred and fifteen of the Laws of eighteen hundred and ninety-eight, entitled 'An act to provide for the improvement of the public highways,' in relation to payment of assessment by towns instead of abutting owners."

Also, the bill introduced by Mr. O'Brian (No. 2075, Int. No. 1562), entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' relating to the official printing of said city."

Also, the bill introduced by Mr. Lansing (No. 1765, Int. No. 1383), entitled "An act to amend chapter three hundred and fifty-nine of the Laws of eighteen hundred and ninety-seven, entitled 'An act to incorporate the city of Rensselaer,' in relation to the collection of taxes."

Also, the bill introduced by Mr. Duell (No. 1691, Int. No. 9), entitled "An act requiring certain publications to print correct data as to persons responsible therefor, and declaring the effect of failure to do so."

Also, the bill introduced by Mr. Young (No. 2115, Int. No. 947), entitled "An act in furtherance of the commission heretofore created to confer with the Governor and Legislature of the State of New Jersey for the purpose of developing a system of transit between the city of New York and the State of New Jersey, extending its powers and making an appropriation therefor."

Also, the bill introduced by Mr. Brough (No. 2085, Int. No. 1572), entitled "An act to amend the Penal Code, relative to bootblacks."

Also, the bill introduced by Mr. Brooks (No. 1982, Int. No. 1522), entitled "An act to release to Margaretha Ansay all the right, title and interest of the people of the State of New York, in and to certain real estate situate in the city of Buffalo, county of Erie, and State of New York, acquired by escheat, or otherwise, upon the death of Hyronimus Wagner."

Also, the bill introduced by Mr. Boshart (No. 1140, Int. No. 983), entitled "An act making an appropriation for the promotion of agriculture," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Gray (No. 1421, Int. No. 1175), entitled "An act to amend chapter three hundred and eighty-two of the Laws of eighteen hundred and fifty-seven, entitled 'An act in relation to schools and academies in the village of Ogdensburg,' in relation to the rate of taxation for school purposes," reported the same with the following recommendations:

On page 1, line 4, after "by" insert "chapter one hundred and sixty-six of the laws of eighteen hundred and sixty-five,".

On page 2, line 13, strike out "it".

On page 3, line 5, strike out "school" and insert in place thereof "schools".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Hastings (No. 1976, Int. No. 1521), entitled "An act to amend chapter forty-four of the Laws of eighteen hundred and fifty-three, entitled 'An act for the better support of the poor, in the town of Newburgh, in the county of Orange,' in relation to the time of reports and estimates of the commissioners of the almshouse," reported the same with the following recommendations:

In line 4 of title, strike out "the time of reports and estimates of the com-" and insert in place thereof "said town receiving credit for excise moneys."

Strike out line 5 of title.

On page 1, line 4, after "Orange," insert "as amended by chapter six hundred and twenty-three of the laws of nineteen hundred and four,".

On page 1, line 5, strike out comma after "also".

On page 2, line 6, after "second Newburgh" insert a comma.

On page 2, line 16, italicize comma after "directed".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Duell (No. 2012, Int. No. 1537), entitled "An act to amend section two of chapter five hundred and forty-six, of the Laws of nineteen hundred and six, in respect of the rate of interest to be paid on bonds provided for in said chapter," reported the same with the following recommendations:

In line 1 of title, strike out "section two of".

In second line of title, strike out "in respect of" and insert in place thereof "entitled 'An act to authorize the common council of the city of New Rochelle to issue and sell bonds of said city for the uses and purposes of the fire department of said city,' relative to".

Third line of title, strike out "provided for in said chapter," and insert in place thereof a period.

On page 1, line 2, after "six" insert "entitled 'An act to authorize the common council of the city of New Rochelle to issue and sell bonds of said city for the uses and purposes of the fire department of said city.'"

On page 1, line 2, strike out "so as".

On page 2, line 6, strike out comma after "prescribe".

On page 2, line 24, strike out comma after "ninety-nine".

On page 3, line 3, after "acts" insert "in so far as".

Same page and line, after "with" insert "the provisions of".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Robinson (No. 1943, Int. No. 1491), entitled "An act to amend the Greater New York charter, relative to the publication and distribution of reports of city departments, the publication of contracts, new appointments and

increase of salaries," reported the same with the following recommendations:

On page 2, line 13, strike out "and shall be".

On page 2, line 16, strike out "phamplet" and insert in place thereof "pamphlet".

On page 2, line 19, strike out "phamplet" and insert in place thereof "pamphlet".

On page 3, line 3, italicize comma after "board".

On page 3, line 7, strike out "O" in "Once" and insert in place thereof "[o] O".

On page 3, line 17, after "Record" insert comma.

On page 3, line 25, after first "of" insert "the".

On page 4, line 16, strike out "s" in "employees".

On page 4, line 22, after "acts" insert "in so far as".

Same page and line, after "with" insert "the provisions of".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Duell (No. 2013, Int. No. 1538), entitled "An act to amend section three of chapter two hundred and thirty-six of the Laws of nineteen hundred and five, in respect of the rate of interest to be paid on bonds provided for in said chapter," reported the same with the following recommendations:

In first line of title, strike out "Section three of".

In second line of title, strike out "in respect of" and insert in place thereof "entitled 'An act to authorize the common council of the city of New Rochelle, to procure an assessment map of said city, and to issue bonds in payment thereof,' relative to".

In line 3 of title, strike out "provided for in said".

In line 4 of title, strike out "chapter".

On page 1, line 2, after "five," insert "entitled 'An act to authorize the common council of the city of New Rochelle, to procure an assessment map of said city, and to issue bonds in payment therefor,'".

Same page and line, strike out "so as".

On page 1, line 6, after "body" insert comma.

On page 1, line 7, after "first of" insert comma.

On page 1, line 8, after "aggregate" insert comma.

On page 2, line 33, after "semi-annually" insert comma.

On page 3, line 1, after "awarded" insert comma.

On page 3, line 3, after "acts" insert "in so far as".

Same page and line, after "with" insert "the provisions of".  
which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Haines (No. 1935, Int. No. 1483), entitled "An act to amend section two of title one of chapter six hundred and thirty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Yonkers,'" reported the same with the following recommendations.

In first line of title, strike out "section two of title one of".

In last line of title, after "Yonkers", insert "generally".

On page 1, line 5, italicize "ten" and insert after "ten" "[seven]".

On page 2, line 22, after "acqueduct" insert semi-colon.

On page 3, line 1, after "avenue" strike out semi-colon and insert in place thereof comma.

On page 3, line 5, after "place" strike out comma and insert semi-colon.

On page 4, line 7, after "northerl" insert "y".

On page 9, line 5, after "at" strike out "a" and insert "the".

On page 10, line 3, after "ninety-five" insert comma.

Same page and line, strike out "alder" and insert in place thereof "alderman".

On page 10, line 4, strike out "man" and insert in place thereof "[alderman]".

Same page and line, after "ward" insert "[;]".

On page 10, line 7, after ";" and before "one" insert "and".

Same page and line, italicize "alderman" and insert there-after "[aldermen]".

On page 10, line 8, after "ward" insert comma.

On page 10, line 9, insert comma after "years".

On page 10, line 20, after "each" insert "of".

On page 11, line 6, after "five" insert a comma.

On page 11, line 7, strike out "elected".

Same page and line, strike out "for" and insert in place thereof "elected in".

Same page and line, "ward for" not in italics.

On page 11, line 8, after "expiring" insert "on".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Draper (No. 1488, Int. No. 1236), entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for wild fowl in certain parts of the county of Niagara," reported the same with the following recommendation:

On page 1, line 5, after "March" insert "first."

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Wells (No. 1779, Int. No. 1399), entitled "An act to amend the Greater New York charter, relative to the department of docks and ferries," reported the same with the following recommendations:

In the first line of title, strike out "the de-" and insert in place thereof "proceedings taken by commissioner of docks."

Strike out second line of title.

On page 1, strike out all of line 1 and insert in place thereof "the Greater New York charter, as re-enacted by chapter four hundred sixty-six of the laws of nineteen hundred and one,".

Strike out all of line 2 and "New York," in line 3.

Page 1, line 4, strike out "known as". Same page and line, strike out comma after "twenty-three-f", insert in place thereof "thereof, to read".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Wood (No. 1973, Int. No. 1517), entitled "An act to amend chapter seven hundred and sixty of the Laws of eighteen hundred and ninety-seven, entitled 'An act to revise the charter of the city of Watertown,' in relation to the liability of the city," reported the same with the following recommendations:

On page 1, line 6, italicize letter "s" in "persons".

On page 2, line 14, italicize comma after "obstructed,".

Same page and line, after "ice" insert comma.

Same page and line, after "otherwise" insert comma.

On page 2, line 17, italicize "actually".

On page 2, line 19, insert comma after "work".

On page 2, line 24, after the word "place" insert comma in italic.

On page 2, line 26, strike out comma after "maintained".  
which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. C. F. Murphy (No. 2074, Int. No. 1561), entitled "An act to amend the Greater New York charter, relative to the classification and instruction of criminals and misdemeanants," reported the same with the following recommendations:

In line 2 of title, strike out "and instruction".

In line 3, page 1, after "one" insert "comma".

On page 1, line 6, strike out "so as".

On page 2, line 15, strike out "s" in "tutions".

On page 2, line 17, insert "comma" after "known".

On page 3, line 6, italicize comma after "thereof".

On page 3, line 21, strike out "of" and insert in place thereof "for".

Page 4, line 10, strike out comma after "division".

On page 5, line 2, hyphenate words "above mentioned".

On page 6, line 1, strike out comma after "accomplished".

On page 7, line 13, strike out the word "magistrate" and insert in place thereof "magistrates".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. J. A. Foley (No. 1689, Int. No. 598), entitled "An act to amend chapter four hundred and eighteen of the Laws of eighteen hundred and ninety-seven, as amended by chapter six hundred and eighty-seven of the Laws of nineteen hundred and six, entitled 'An act in relation to liens, constituting chapter forty-nine of the general laws,' in relation to liens on personal property," reported the same with the following recommendations:

In the first line of title, strike out "chapter four hundred and eighteen of the laws of" and insert in place thereof "the lien law,".

Strike out lines 2, 3 and 4 of title and "chapter forty-nine of the general laws," in fifth line of title.

On page 1, line 1, strike out "chaper" and insert in place thereof "chapter".

On page 1, line 3, strike out "as amended by chapter six hundred and eighty-seven of the".

On page 1, line 4, strike out "laws of nineteen hundred and six,".

On page 1, line 5, after "laws," insert "as amended by chapter six hundred and eighty-seven of the laws of nineteen hundred and six,".

On page 2, line 1, strike out comma after "auctioneer".

On page 2, line 2, insert comma after "chattels" and after "hire".

On page 2, line 3, after "left" insert comma.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Lewis (No. 2024, Int. No. 1549), entitled "An act to amend an act entitled 'An act in relation to agriculture, constituting articles one, two, three, four and five of chapter thirty-three of the general laws,' in relation to selling and shipping milk and cream," reported the same with the following recommendations:

In line one of title, strike out "an act entitled 'An act in relation to agriculture'" and insert in place thereof "the agricultural law,".

Strike out line 2 of title and "thirty-three of the general laws," in line three of title.

On page 1, line 2, strike out "as" and insert in place thereof "entitled 'An act in relation to agriculture, constituting articles one, two, three, four and five of chapter thirty-three of the general laws,'" as amended by chapter one hundred and one of the laws of nineteen hundred, chapters four hundred and eighty and five hundred and sixty-six of the laws of nineteen hundred and four, and".

On page 3, line 3, strike out "amended by".

On page 1, line 4, strike out "so as".

On page 1, line 10, insert comma after "colored".

On page 2, line 7, italicize comma after "person".

On page 2, line 21, strike out "expore" and insert in place thereof "expose".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Prentice (No. 1606, Int. No. 1295), entitled "An act to amend chapter four hundred and eighty-eight of the Laws of eighteen hundred and ninety-nine, entitled 'An act authorizing the sale of property left in street surface railroad cars, and the disposition of the proceeds thereof,' so as to extend the provisions of said act to cabs, coaches, stages and other similar vehicles," reported the same with the following recommendations:

On page 1, line 4 of title, strike out "so as to extend the".

In line 5 of title, strike out "provisions of said act" and insert in place thereof "relative".

On page 1, line 5, strike out "so as".

On page 2, line 18, strike out "so as".

On page 3, strike out lines 6 and 7.

On page 3, lines 8 and 9 are not to be italicized.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. West, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Agricultural Law, in relation to the sale of apples, pears and peaches." (No. 2055, Int. No. 1126.)

"An act to provide for the taxation for school purposes of the lands owned by the State and situate within the boundaries of union free school district number thirteen of the town of Islip, Suffolk county." (No. 1804, Int. No. 1414.)

"An act to legalize and confirm certain proceedings of the biennial town meeting of the town of Lima, in the county of Livingston, held on the twelfth day of March, nineteen hundred and seven." (No. 1970, Int. No. 1514.)

"An act to authorize the commissioners of the sinking fund of the city of New York, in their discretion and upon such terms as they may deem proper, to remit certain taxes upon property of the Northwestern Dispensary in the city of New York." (No. 1972, Int. No. 1516.)

"An act to provide for erecting a bridge over Gowanus canal in the borough of Brooklyn in the city of New York." (No. 906, Int. No. 835.)

"An act to amend section one of chapter six hundred and nineteen of the Laws of nineteen hundred and six, entitled 'An act to authorize the Comptroller of the State of New York to hear and determine the application of J. G. Stevens for the cancellation of the tax sale of eighteen hundred and seventy-seven, of a portion of lot number fifty-nine of township number six, in the Old Military Tract in the town of Ellenburgh, county of Clinton,' in relation to the application of Charles Stevens, successor in interest to J. G. Stevens." (No. 2113, Int. No. 526.)

"An act in relation to the Court of General Sessions of the county of New York." (No. 1255, Int. No. 1086.)

"An act to confer jurisdiction upon the board of supervisors of Erie county to hear, audit, determine and provide for the payment of the alleged claim of the Ryan, Danahy and Ryan Company." (No. 1761, Int. No. 1379.)

"An act authorizing the board of supervisors of Seneca county to appropriate moneys to provide quarters for grand army posts." (No. 1975, Int. No. 1520.)

"An act to amend chapter five hundred and ninety-three of the Laws of nineteen hundred and five, entitled 'An act to revise the charter of the city of Johnstown,' generally." (No. 2144, Int. No. 1253.)

"An act to amend the Forest, Fish and Game Law, relating to penalties." (No. 2174, Int. No. 721.)

"An act to amend the Railroad Law, in relation to baggage." (No. 2177, Int. No. 1052.)

"An act to amend the Forest, Fish and Game Law, in relation to the sale of trout, Oneida county." (No. 2178, Int. No. 1405.)

"An act to amend the Greater New York charter, in relation to the health department pension fund." (No. 2176, Int. No. 1374.)

"An act to amend the Executive Law, in relation to the deputies of the Comptroller." (No. 2175, Int. No. 1352.)

"An act to provide for the opening and maintenance of inlets from the ocean into Shinnecock bay and into Mecox bay, in the town of Southampton in the county of Suffolk and repealing chapter six hundred and twenty-eight of the Laws of eighteen hun-

dred and eighty-seven, chapter two hundred and fifty-seven of the Laws of eighteen hundred and ninety-two and a part of chapter twenty-nine of the Laws of eighteen hundred and seventy-three." (No. 2141, Int. No. 1505.)

"An act to amend the Highway Law, relative to commutation of highway labor, Montgomery county." (No. 2173, Int. No. 1257.)

"An act ratifying the laying out and extending of Housman avenue from Richmond terrace to Pierhead line, in the borough of Richmond, city of New York, and authorizing and empowering the board of estimate and apportionment, in its discretion, to take action relative to the necessary expenses incurred in relation to the same." (No. 2009, Int. No. 1534.)

"An act ratifying the laying out and extending of Nicholas avenue from Richmond terrace to Pierhead line, in the borough of Richmond, city of New York, and authorizing and empowering the board of estimate and apportionment, in its discretion, to take action relative to the necessary expenses incurred in relation to the same." (No. 2010, Int. No. 1535.)

"An action in relation to the compensation of village officers of the village of Skaneateles." (No. 2016, Int. No. 1541.)

"An act to amend the Greater New York charter, by providing for an appropriation for the Legal Aid Society of the City of New York." (No. 1964, Int. No. 1508.)

"An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' relating to the official printing of said city." (No. 2075, Int. No. 1562.)

"An act to amend chapter three hundred and fifty-nine of the Laws of eighteen hundred and ninety-seven, entitled 'An act to incorporate the city of Rensselaer,' in relation to the collection of taxes." (No. 1765, Int. No. 1383.)

"An act in furtherance of the commission heretofore created to confer with the Governor and Legislature of the State of New Jersey for the purpose of developing a system of transit between the city of New York and the State of New Jersey, extending its powers and making an appropriation therefor." (No. 2115, Int. No. 947.)

"An act making an appropriation for the promotion of agriculture." (No. 1140, Int. No. 983.)

"An act to amend the Penal Code, relative to bootblacks." (No. 2085, Int. No. 1572.)

"An act requiring certain publications to print correct data as to persons responsible therefor, and declaring the effect of failure to do so." (No. 1691, Int. No. 9.)

"An act to amend chapter one hundred and fifteen of the Laws of eighteen hundred and ninety-eight, entitled 'An act to provide for the improvement of the public highways,' in relation to payment of assessment by towns instead of abutting owners." (No. 1344, Int. No. 1124.)

"An act to amend chapter one hundred and eighty-one of the Laws of nineteen hundred and three, entitled 'An act to establish and maintain a water department in and for the city of Ithaca,' generally." (No. 2084, Int. No. 1571.)

"An act to amend chapter three hundred of the Laws of nineteen hundred and four, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls,' in relation to the establishment of an industrial commission for said city." (No. 2105, Int. No. 1580.)

"An act to amend chapter three hundred of the Laws of nineteen hundred and four, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls,' so as to provide for a grade crossing commission, and defining the powers and duties thereof." (No. 1992, Int. No. 1532.)

"An act to amend the Greater New York charter, relative to setting apart piers for recreation." (No. 869, Int. No. 804.)

"An act to amend chapter one hundred and seventeen of the Laws of eighteen hundred and eighty-three, entitled 'An act to amend, consolidate and revise the charter of the village of Peekskill, and the several acts amendatory thereof,' relative to village taxes." (No. 1828, Int. No. 1427.)

By unanimous consent, Mr. Gray offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of the bill (No. 1463, Int. No. 1176), entitled "An act to establish the city court of Ogdensburg and relating to the recorder of such city and his court."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, Mr. Gray moved to amend as follows:

Page 1, lines 5 to 10, inclusive. Strike out line 5 except the first word. Strike out all of lines 6, 7, 8, 9 and 10 and insert in place thereof "On the first day of June, nineteen hundred and seven, the mayor shall appoint a city judge who shall possess the powers and jurisdiction, and shall perform the duties of such judge as the same are prescribed by this act, and shall hold office until January first, nineteen hundred and nine, and until his successor is appointed and qualifies".

Page 2, lines 5 and 6, inclusive, strike out all of said lines after the word "salary" in line 5 and insert "of not more than two thousand dollars and not less than fifteen hundred dollars per annum, to be fixed by the common council and paid by the city in equal monthly payments as near as may be".

Line 19, before last word insert "from the city".

Line 22, insert after "judge" "to be paid out of the salary of the city judge and not otherwise".

Line 24, strike out "oral or written" as surplusage.

Lines 25, 26 and 27, strike out said lines and insert "The city judge shall appoint a clerk of the city court who shall be a stenographer".

Page 3, line 1, strike out all of line 1, except the last three words.

Lines 3 to 12, inclusive, strike out all of line 3, except the first four words and insert "he shall receive a salary to be fixed by the common council and paid by the city".

Strike out all of lines 4 to 12, inclusive.

Line 25, strike out "character" and insert "charter".

Page 7, line 16, after "any" insert "policeman or".

Page 8, lines 12 to 16, inclusive. Strike out line 12 except the first four words thereof. Strike out lines 13, 14 and 15 and the first five words of line 16.

Lines 16 to 22, inclusive. Strike out last six words of line 16 and all of lines 17, 18, 19, 20, 21 and all but the last two words of line 22.

Page 10, line 12, after "attorney" insert "and counselor at law".

Page 11, line 16, before "heard" insert "read or", and after "heard" insert "read".

Line 23, strike out "the official papers of the" and insert "two daily newspapers published in said".

Pages 11 and 12, section 17, strike out section 17 and insert the following: "§ 17. Appeals may be taken to the county court of St. Lawrence county from judgments rendered in said city court the same as from judgments rendered by justices of the peace, and such judgments, and all proceedings before the city judge or in the city court may be reviewed by said county court, except that there shall be no new trial of any issue of fact in the county court, and none of the provisions of law relating to a new trial of such an issue in the county court or to an appeal therefor, shall apply to an appeal from said city court. Appeals may be taken to the county court of St. Lawrence county from an order of the city judge on an application to open a default made as in section eighteen of this act provided, and the time within which such appeals may be taken, and the practice thereon, shall be the same as apply to appeals from judgments of justices of the peace, the affidavits used on such application constituting for the purpose of such appeal a part of the return of the city judge".

Page 16, line 10, correct spelling in "misdemeanors".

Page 17, line 7, strike out "appeal" and insert "special".

Page 19, line 14, strike out "charter" and insert "chapter".

Line 27, add "or as hereinbefore provided".

Page 21, line 15, strike out "intelligently described" and insert "intelligibly describing".

Page 22, line 12, strike out "intelligently describe" and insert "intelligibly describing".

Page 23, line 20, strike out "retain" and insert "detain".

Page 24, line 1, after "defendant" insert "to him".

Page 25, line 7, strike out "intelligently" and insert "intelligibly".

Page 26, line 1, strike out "met" and insert "me".

Page 27, line 24, add "or in any proceeding pending or about to be brought in said court".

Page 28, line 15, strike out hyphen between "by" and "law".

Line 17, strike out "at the" and insert "on or before the fourth day of every".

Page 29, section 49, strike out section 49 and insert in place thereof: "§ 49. It shall be the duty of the clerk to attend upon said court during the time it is required to be kept open for business; to keep the docket, records, minutes, and books of account thereof, in which dockets he shall keep a complete and accurate record of all processes issued and returned to said court, of all proceedings in all actions and proceedings brought or had therein; to receive all moneys payable into said court, including fees and costs, and to keep a complete and accurate account thereof; to make up and file all returns to the county court

therefrom, and under the direction of the city judge to perform such other duties as are herein prescribed. He shall have power to take affidavits for use in said court, and to issue summonses, precepts in summary proceedings, subpoenas, and execution on judgments duly docketed, and final orders in summary proceedings duly entered, and in the absence of the city judge join issues and adjourn cases."

Section 51, strike out section 51 and insert in place thereof: "§ 51. The clerk of the city court on demand of a party in whose favor a judgment shall have been rendered and payment of the fees therefor, shall give a transcript thereof under his hand, but in the name of the city judge, which may be filed and judgment thereon docketed, in the office of the clerk of the county of St. Lawrence, with the like effect as a transcript of the docket of a justice of the peace, except that a judgment of the city court so docketed shall be a lien and remain in force for the same length of time, as a judgment originally recovered in the county court of St. Lawrence county."

Page 30, line 24, before "fees" insert "legal".

Page 31, line 6, before "judgment" insert "when?" and after "judgment" insert "is rendered".

Page 32, line 5, strike out all but section number and insert "On the first day of January, nineteen hundred and nine".

Line 6, strike out "common council" and insert "mayor".

Line 7, strike out "four" and insert "two".

Line 9, strike out "in the month".

Line 10, strike out line 10 and insert "On the first day of January in each odd year".

Lines 12 and 13, strike out "common council" and insert "mayor".

Line 21, strike out "hereafter" and insert "after June first, nineteen hundred and seven".

Line 27, add "of the state of New York".

Page 33, line 20, after line 20 add two new sections as follows:

"§ 56. Neither the city judge, nor his father, son, partner or clerk, shall be counsel, solicitor or attorney in any civil action or special proceeding of which the city court could have jurisdiction by law.

"§ 57. The chief of police of said city shall detail a policeman to attend every session of the city court, whose duty it shall be to preserve order and perform such other services as shall be required by the city judge, but such policeman shall receive no extra compensation therefor".

Pages 33 and 34, renumber sections 57 and 58.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Gray, said bill was ordered reprinted and recommitted to the committee on affairs of cities.

The bill (No. 1472) entitled "An act to amend chapter five hundred and ninety-two of the Laws of eighteen hundred and ninety-seven, entitled 'An act in relation to navigation, constituting chapter thirty of the general laws,' authorizing temporary assignments of the inspectors of steam vessels to the Department of Labor" (Int. No. 1220), was read the second time.

On motion of Mr. Prentice, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1882) entitled "An act to amend the Lien Law, in relation to the discharge of a bond or undertaking" (Int. No. 1469), was read the second time.

On motion of Mr. Young, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1886) entitled "An act to amend chapter three hundred and eight of the Laws of nineteen hundred and three, entitled 'An act to regulate the junk business, and to require a person engaging in such business to procure a license'" (Int. No. 1473), was read the second time.

On motion of Mr. Patton, said bill was placed on the order of third reading.

On motion of Mr. Patton, said bill was recommitted to the committee on general laws, retaining its place on the order of third reading.

Mr. Apgar in the chair.

The bill (No. 1927) entitled "An act to amend the Penal Code, relative to ticket speculators" (Int. No. 1232), was read the second time.

On motion of Mr. Phillips, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1392) entitled "An act to amend the Penal Code, in relation to the punishment of persons convicted of the crime of extortion and blackmail" (Int. No. 1152), was read the second time.

On motion of Mr. Prentice, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2025) entitled "An act providing for State aid to towns under the money system which have failed to levy assessments for poll taxes" (Int. No. 1550), was read the second time.

On motion of Mr. Baldwin, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1317) entitled "An act for the promotion of agriculture and making an appropriation therefor" (Int. No. 1112), was read the second time.

On motion of Mr. Boshart, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1492) entitled "An act to amend the Code of Civil Procedure, relative to fixing costs and allowances in Surrogates' Courts and the amount thereof" (Int. No. 1240), was read the second time.

On motion of Mr. Dowling, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 784) entitled "An act to amend section four hundred and fifty-eight of the Penal Code, relating to crimes against the public peace" (Rec. No. 140), was read the second time.

On motion of Mr. Oliver, said bill was placed on the order of third reading.

The Senate bill (No. 367) entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' with reference to the opening of defaults or dismissals, vacating judgments and final orders" (Rec. No. 42), was read the second time.

On motion of Mr. Prentice, said bill was placed on the order of third reading.

The Senate bill (No. 369) entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relative to fees payable to clerks" (Rec. No. 41), having been announced for second reading,

Mr. Keller moved to amend as follows:

On page 2, line 5, strike out the words "fifty cents" and insert the words "one dollar", and on page 2, line 7, strike out all after the word "summons". Strike out all of line 8, on page 2.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read the second time.

On motion of Mr. Prentice, said bill was placed on the order of third reading.

The bill (No. 1740) entitled "An act to amend the Penal Code, in relation to Sunday baseball in the city of New York" (Int. No. 1369), having been announced for a second reading,

On motion of Mr. Phillips, said bill was recommitted to the committee on codes, retaining its place on the order of second reading.

The bill (No. 2145) entitled "An act to amend the Liquor Tax Law, in relation to State Commissioner of Excise; deputy commissioners; special deputy commissioners; excise taxes; liquor tax certificates and local option" (Int. No. 1610), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 1

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baldwin	Dudley	Hamn	Mooney	Smith C
Baumann	Duell	Harawitz	Moreland	Smith Myron
Blue	Eggleston	Harper	Morgan	Staley
Bohan	Eichhorn	Harris	Murphy C F	Stern
Boshart	Farrell	Hart	Murphy G W	Stratton
Brady	Ferguson	Hoey	Nevins	Surpluss
Brough	Feth	Holmes	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Flanagan	Hurd	O'Brian	Vos
Burhyte	Foley J A	Huth	Oliver	Waldell

Burns	Fowler	Jacobs	Parker	Wainwright
Burzynski	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Prince	Weimert
Colné	Geoghagan	Loos	Ralston	Wells
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Robinson	Whitney F G
Croak	Glynn	Maher	Rogers	Whitney G H
Cunningham	Goldberg	Mallon	Schmidt	Winters
Cuvillier	Green	Marlatt	Schoeneck	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dobbs	Hackett	McCue	Sheridan	Young
Dominy				

In the negative:

Foley C F

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 590) entitled "An act in relation to compelling the issue of transfers at a certain point on the subway and elevated railroads in the city of New York" (Int. No. 562), having been announced for a third reading,

On motion of Mr. Francis, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 1480) entitled "An act to amend the Consolidated School Law, in relation to apportionment of school funds" (Int. No. 1228), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baldwin	Dudley	Hamn	Mooney	Smith C
Baumann	Duell	Harawitz	Moreland	Smith Myron
Blue	Eggleston	Harper	Morgan	Staley

Bohan	Eichhorn	Harris	Murphy C F	Stern
Boshart	Farrell	Hart	Murphy G W	Stratton
Brady	Ferguson	Hoey	Nevins	Surpless
Brough	Feth	Holmes	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Flanagan	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jacobs	Parker	Wainwright
Burzynski	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Prince	Weimert
Colné	Geoghagan	Loos	Ralston	Wells
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Robinson	Whitney F G
Croak	Glynn	Maher	Rogers	Whitney G H
Cunningham	Goldberg	Mallon	Schmidt	Winters
Cuvillier	Green	Marlatt	Schoeneck	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dobbs	Hackett	McCue	Sheridan	Young
Dominy				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1289) entitled "An act to amend the Insanity Law, in relation to hospital attorneys" (Int. No. 437), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 3

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Apgar	Donnelly	Haines	Merritt	Sinclair
Averill	Dowling	Hamilton	Miller	Smith A E
Baldwin	Draper	Hammond	Mills	Smith C
Baumann	Dudley	Hamn	Mooney	Smith Myron
Blue	Duell	Harawitz	Moreland	Staley
Bohan	Eggleston	Harper	Morgan	Stern
Boshart	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Waddell
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jacobs	Parker	Walters

Chamberlain	Francis	Keller	Patton	Waters
Cole	Frisbie	Lansing	Phillips	Weber
Collins	Ganly	Lee	Prince	Weimert
Colné	Garbe	Lewis	Ralston	Wells
Conklin	Geoghagan	Loos	Reece	Whitley
Conrady	Glore	Lowe	Robinson	Whitney F G
Croak	Gluck	Lupton	Rogers	Whitney G H
Cunningham	Glynn	Maher	Schmidt	Winters
Cuvillier	Goldberg	Mallon	Schoeneck	Wood
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young

Those who voted in the negative were:

Foley C F      Eagleton      Prentice

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

By unanimous consent, Mr. Young offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on insurance be discharged from the further consideration of the Senate bill (No. 945, Rec. No. 223), entitled "An act to amend the Insurance Law, relative to the insurance of automobiles."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced,

On motion of Mr. Young, and by unanimous consent, said bill was read the second time and ordered to a third reading,

On motion of Mr. Young, said bill was referred to the committee on revision to compare with the Assembly bill (No. 1839, Int. No. 1438), same title and subject, now on the order of third reading, and report if the same are identical and, if found identical, that said Senate bill be substituted for said Assembly bill.

The bill (No. 1839) entitled "An act to amend the Insurance Law, relative to insurance of automobiles" (Int. No. 1438), having been announced for a third reading,

On motion of Mr. Young, said bill was recommitted to the committee on revision, retaining its place on the order of third reading.

The bill (No. 1299) entitled "An act for the appointment of a commissioner of records of the county of Queens" (Int. No. 1094), having been announced for third reading,

Mr. Flanagan moved to recommit said bill to the committee on internal affairs.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Cuvillier moved to strike out the enacting clause of said bill.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 95

NOES 40

Those who voted in the affirmative were:

Allen	Draper	Hastings	Murphy C F	Staley
Apgar	Dudley	Hooper	Murphy G W	Stanton
Averill	Eggleston	Hubbs	Nevins	Surpless
Baldwin	Eichhorn	Hurd	Newton	Volk
Blue	Ferguson	Lansing	Norton	Voss
Boshart	Filley	Lee	O'Brian	Waddell
Brady	Fowler	Lewis	Parker	Wainwright
Brooks	Francis	Lowe	Patton	Waters
Brough	Frisbie	Lupton	Phillips	Weber
Brown	Glore	Maher	Prentice	Weimert
Burhyte	Gray	Mance	Ralston	Wells
Chamberlain	Green	Marlatt	Reece	West
Cole	Gunderman	Matthews	Robinson	Whitley
Conklin	Haines	Mead	Rogers	Whitney F G
Conrad	Hamilton	Merritt	Schoeneck	Whitney G H
Cunningham	Hammond	Miller	Shuttleworth	Winters
De Groot	Hamn	Mills	Sinclair	Wood
Dominy	Harris	Moreland	Smith C	Yale
Dowling	Hart	Morgan	Smith Myron	Young

Those who voted in the negative were:

Baumann	Fay	Glynn	Jackson	Schwegler
Bohan	Feth	Goldberg	Keller	Sheridan
Buckley	Flanagan	Hackett	Loos	Smith A E
Cavanaugh	Foley C F	Harawitz	McCue	Stern
Cutillier	Ganly	Harper	Mooney	Stratton
Dobbs	Garbe	Hoey	Oliver	Todd
Donnelly	Geoghagan	Holmes	Prince	Wagner
Farrell	Gluck	Huth	Schmidt	Walters

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2130) entitled "An act to amend the Banking Law, relative to the payment of deposits in savings banks in the names of more than one person" (Int. No. 1037), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth ]
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baldwin	Dudley	Hamn	Mooney	Smith C
Baumann	Duell	Harawitz	Moreland	Smith Myron
Blue	Eggleston	Harper	Morgan	Staley
Bohan	Eichhorn	Harris	Murphy C F	Stern
Boshart	Farrell	Hart	Murphy G W	Stratton
Brady	Ferguson	Hoey	Nevins	Surpless
Brough	Feth	Holmes	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Flanagan	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jacobs	Parker	Wainwright
Burzynski	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Prince	Weimert
Colné	Geoghagan	Loos	Ralston	Wells
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Robinson	Whitney F G
Croak	Glynn	Maher	Rogers	Whitney G H
Cunningham	Goldberg	Mallon	Schmidt	Winters
Cuvillier	Green	Marlatt	Schoeneck	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dobbs	Hackett	McCue	Sheridan	Young
Dominy				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2132) entitled "An act to legalize the action of the board of trustees of the village of Green Island, in reducing the width of Centre street between Hudson avenue and George

street, and authorizing the execution of releases of said land to the occupants thereof " (Int. No. 1416), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baldwin	Dudley	Hamn	Mooney	Smith C
Baumann	Duell	Harawitz	Moreland	Smith Myron
Blue	Eggleston	Harper	Morgan	Staley
Bohan	Eichhorn	Harris	Murphy C F	Stern
Boshart	Farrell	Hart	Murphy G W	Stratton
Brady	Ferguson	Hoey	Nevins	Surplless
Brough	Feth	Holmes	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Flanagan	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jacobs	Parker	Wainwright
Burzynski	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Prince	Weimert
Colné	Geoghagan	Loos	Ralston	Wells
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Robinson	Whitney F G
Croak	Glynn	Maher	Rogers	Whitney G H
Cunningham	Goldberg	Mallon	Schmidt	Winters
Cuvillier	Green	Marlatt	Schoeneck	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dobbs	Hackett	McCue	Sheridan	Young
Dominy				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2140) entitled "An act to amend chapter ninety-one of the Laws of eighteen hundred and ninety-five, entitled 'An act to amend the incorporation of the Society of the War of Eighteen Hundred and Twelve'" (Int. No. 1111), was read the third time, having been printed and upon the desks of the members in

its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baldwin	Dudley	Hamn	Mooney	Smith C
Baumann	Duell	Harawitz	Moreland	Smith Myron
Blue	Eggleston	Harper	Morgan	Staley
Bohan	Eichhorn	Harris	Murphy C F	Stern
Boshart	Farrell	Hart	Murphy G W	Stratton
Brady	Ferguson	Hoey	Nevins	Surpless
Brough	Feth	Holmes	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Flanagan	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jacobs	Parker	Wainwright
Burzynski	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Prince	Weimert
Colné	Geoghagan	Loos	Ralston	Wells
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Robinson	Whitney F G
Croak	Glynn	Maher	Rogers	Whitney G H
Cunningham	Goldberg	Mallon	Schmidt	Winters
Cuvillier	Green	Marlatt	Schoeneck	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dobbs	Hackett	McCue	Sheridan	Young
Dominy				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2136) entitled "An act to amend the Forest, Fish and Game Law, in relation to the possession of lake trout during the close season" (Int. No. 720), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baldwin	Dudley	Hamn	Mooney	Smith C
Baumann	Duell	Harawitz	Moreland	Smith Myron
Blue	Eggleston	Harper	Morgan	Staley
Bohan	Eichhorn	Harris	Murphy C F	Stern
Boshart	Farrell	Hart	Murphy G W	Stratton
Brady	Ferguson	Hoey	Nevins	Surpless
Brough	Feth	Holmes	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Flanagan	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jacobs	Parker	Wainwright
Burzynski	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Prince	Weimert
Colné	Geoghagan	Loos	Ralston	Wells
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Robinson	Whitney F G
Croak	Glynn	Maher	Rogers	Whitney G H
Cunningham	Goldberg	Mallon	Schmidt	Winters
Cuvillier	Green	Marlatt	Schoeneck	Wood
De Groet	Gunderman	Matthews	Schwegler	Yale
Dobbs	Hackett	McCue	Sheridan	Young
Dominy				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2134) entitled "An act to amend the Code of Civil Procedure, in relation to the Municipal Court of the city of Rochester" (Int. No. 1467), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baldwin	Dudley	Hamn	Mooney	Smith C

Baumann	Duell	Harawitz	Moreland	Smith Myron]
Blue	Eggleston	Harper	Morgan	Staley
Bohan	Eichhorn	Harris	Murphy C F	Stern
Boshart	Farrell	Hart	Murphy G W	Stratton
Brady	Ferguson	Hoey	Nevins	Surpless
Brough	Feth	Holmes	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Flanagan	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jacobs	Parker	Wainwright
Burzynski	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Prince	Weimert
Colné	Geoghagan	Loos	Ralston	Wells
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Robinson	Whitney F G
Croak	Glynn	Maher	Rogers	Whitney G H
Cunningham	Goldberg	Mallon	Schmidt	Winters
Cuvillier	Green	Marlatt	Schoeneck	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dobbs	Hackett	McCue	Sheridan	Young
Dominy				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

By unanimous consent, Mr. Frisbie offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on charitable and religious societies be discharged from the further consideration of the Senate bill (No. 859, Rec. No. 187), entitled "An act to change the name of 'Home of the Friendless of Schenectady' to 'Old Ladies' Home of Schenectady.'"

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced,

On motion of Mr. Frisbie, and by unanimous consent, said bill was read the second time and ordered to a third reading,

On motion of Mr. Frisbie, said bill was referred to the committee on revision to compare with the Assembly bill (No. 2129, Int. No. 1312), same title and subject, now on the order of third reading, and report if the same are identical and, if found identical, that said Senate bill be substituted for said Assembly bill.

The bill (No. 2129) entitled "An act to change the name of 'Home of the Friendless of Schenectady,' to 'Old Ladies' Home of Schenectady'" (Int. No. 1312), having been announced for a third reading,

On motion of Mr. Frisbie, said bill was recommitted to the committee on revision, retaining its place on the order of third reading.

The bill (No. 2131) entitled "An act to amend the Code of Criminal Procedure, in relation to coroner's juries" (Int. No. 1466), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baldwin	Dudley	Hamn	Mooney	Smith C
Baumann	Duell	Harawitz	Moreland	Smith Myron
Blue	Eggleston	Harper	Morgan	Staley
Bohan	Eichhorn	Harris	Murphy C F	Stern
Boshart	Farrell	Hart	Murphy G W	Stratton
Brady	Ferguson	Hoe	Nevins	Surpless
Brough	Feth	Holmes	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Flanagan	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jacobs	Parker	Wainwright
Burzynski	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Prince	Weimert
Colné	Geoghagan	Loos	Ralston	Wells
Conklin	Glore	Lowe	Reece	Whitley
Conrad	Gluck	Lupton	Robinson	Whitney F G
Croak	Glynn	Maher	Rogers	Whitney G H
Cunningham	Goldberg	Mallon	Schmidt	Winters
Cuvillier	Green	Marlatt	Schoeneck	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dobbs	Hackett	McCue	Sheridan	Young
Dominy				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2138) entitled "An act to amend the Agricultural Law, relative to confectionery" (Int. No. 236), having been announced for a third reading,

On motion of Mr. Ralston, said bill was recommitted to the committee on agriculture, retaining its place on the order of third reading.

The bill (No. 2133) entitled "An act to amend the County Law, in relation to applying to villages the provisions thereof relating to the registration of dogs" (Int. No. 1384), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baldwin	Dudley	Hamn	Mooney	Smith C
Baumann	Duell	Harawitz	Moreland	Smith Myron
Blue	Eggleston	Harper	Morgan	Staley
Bohan	Eichhorn	Harris	Murphy C F	Stern
Boshart	Farrell	Hart	Murphy G W	Stratton
Brady	Ferguson	Hoey	Nevins	Surpless
Brough	Feth	Holmes	Northrup	Todd
Brown	Filley	Hubb's	Norton	Volk
Buckley	Flanagan	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jacobs	Parker	Wainwright
Burzynski	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Prince	Weimert
Colné	Geoghagan	Loos	Ralston	Wells
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Robinson	Whitney F G
Croak	Glynn	Maher	Rogers	Whitney G H
Cunningham	Goldberg	Mallon	Schmidt	Winters
Cuvillier	Green	Marlatt	Schoeneck	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dobbs	Hackett	McCue	Sheridan	Young
Dominy				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2137) entitled "An act to amend the Forest, Fish and Game Law, relating to compensation of game protectors"

(Int. No. 1084), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 1

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baldwin	Dudley	Hamn	Mooney	Smith C
Baumann	Duell	Harawitz	Moreland	Smith Myron
Blue	Eggleston	Harper	Morgan	Staley
Bohan	Eichhorn	Harris	Murphy C F	Stern
Boshart	Farrell	Hart	Murphy G W	Stratton
Brady	Ferguson	Hoey	Nevins	Surpless
Brough	Feth	Holmes	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Flanagan	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jacobs	Parker	Wainwright
Burzynski	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Prince	Weimert
Colné	Geoghagan	Loos	Ralston	Wells
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Robinson	Whitney F G
Croak	Glynn	Maher	Rogers	Whitney G H
Cunningham	Goldberg	Mallon	Schmidt	Winters
Cuvillier	Green	Marlatt	Schoeneck	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dobbs	Hackett	McCue	Sheridan	Young
Dominy				

In the negative:

Foley C F

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2135) entitled "An act to amend the Forest, Fish and Game Law, in relation to certain penalties" (Int. No. 1322), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Donnel y	Haines	Merritt	Shuttleworth
Apar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baldwin	Dudley	Hamn	Mooney	Smith C
Baumann	Duell	Harawitz	Moreland	Smith Myron
Blue	Eggleston	Harper	Morgan	Staley
Bohan	Eichhorn	Harris	Murphy C F	Stern
Boshart	Farrell	Hart	Murphy G W	Stratton
Brady	Ferguson	Hoey	Nevins	Surpless
Brough	Feth	Holmes	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Flanagan	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jacobs	Parker	Wainwright
Burzynski	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Prince	Weimert
Colné	Geoghagan	Loos	Ralston	Wells
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Robinson	Whitney F G
Croak	Glynn	Maher	Rogers	Whitney G H
Cunningham	Goldberg	Mallon	Schmidt	Winters
Cuvillier	Green	Marlatt	Schoeneck	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dobbs	Hackett	McCue	Sheridan	Young
Dominy				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1810) entitled "An act to require the construction of elevated railroad stations at the intersection of Eighty-seventh street and Columbus avenue in the city of New York" (Int. No. 1420), having been announced for a third reading,

On motion of Mr. Young, said bill was recommitted to the committee on railroads, retaining its place on the order of third reading.

The Senate bill (No. 1015) entitled "An act making an appropriation toward rebuilding the State Normal School at New Paltz and authorizing an exchange of sites" (Rec. No. 197), was

read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baldwin	Dudley	Hamn	Mooney	Smith C
Baumann	Duell	Harawitz	Moreland	Smith Myron
Blue	Eggleston	Harper	Morgan	Staley
Bohan	Eichhorn	Harris	Murphy C F	Stern
Boshart	Farrell	Hart	Murphy G W	Stratton
Brady	Ferguson	Hoey	Nevins	Surplless
Brough	Feth	Holmes	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Flanagan	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jacobs	Parker	Wainwright
Burzynski	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Prince	Weimert
Colné	Geoghagan	Loos	Ralston	Wells
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Robinson	Whitney F G
CrOak	Glynn	Maher	Rogers	Whitney G H
Cunningham	Goldberg	Mallon	Schmidt	Winters
Cuvillier	Green	Marlatt	Schoeneck	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dobbs	Hackett	McCue	Sheridan	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 534) entitled "An act to release to George C. Kline, all the right, title and interest of the people of the State of New York in and to real estate situate, lying and being in the city, county and State of New York, acquired by escheat or otherwise" (Rec. No. 94), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baldwin	Dudley	Hamn	Mooney	Smith C
Baumann	Duell	Harawitz	Moreland	Smith Myron
Blue	Eggleston	Harper	Morgan	Staley
Bohan	Eichhorn	Harris	Murphy C F	Stern
Boshart	Farrell	Hart	Murphy G W	Stratton
Brady	Ferguson	Hoey	Nevins	Surpluss
Brough	Feth	Holmes	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Flanagan	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jacobs	Parker	Wainwright
Burzynski	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Prince	Weimert
Colné	Geoghagan	Loos	Ralston	Wells
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Robinson	Whitney F G
Croak	Glynn	Maher	Rogers	Whitney G H
Cunningham	Goldberg	Mallon	Schmidt	Winters
Cuvillier	Green	Marlatt	Schoeneck	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dobbs	Hackett	McCue	Sheridan	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 60) entitled "An act to release to Cora Fehling all the right, title and interest of the people of the State of New York in and to certain real estate situated in the second ward of the borough of Queens, county of Queens, the city and State of New York, acquired by escheat upon the death of Martin N. Connolly" (Rec. No. 23), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baldwin	Dudley	Hamn	Mooney	Smith C
Baumann	Duell	Harawitz	Moreland	Smith Myron
Blue	Eggleston	Harper	Morgan	Staley
Bohan	Eichhorn	Harris	Murphy C F	Stern
Boshart	Farrell	Hart	Murphy G W	Stratton
Brady	Ferguson	Hoey	Nevins	Surpless
Brough	Feth	Holmes	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Flanagan	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jacobs	Parker	Wainwright
Burzynski	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Prince	Weimert
Colné	Geoghagan	Loos	Ralston	Wells
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Robinson	Whitney F G
Croak	Glynn	Maher	Rogers	Whitney G H
Cunningham	Goldberg	Mallon	Schmidt	Winters
Cuvillier	Green	Marlatt	Schoeneck	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dobbs	Hackett	McCue	Sheridan	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1091) entitled "An act to amend the State Law, in relation to the boundary line between the State of New York and the State of Vermont" (Rec. No. 209), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Appar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baldwin	Dudley	Hamn	Mooney	Smith C
Baumann	Duell	Harawitz	Moreland	Smith Myron
Blue	Eggleston	Harper	Morgan	Staley
Bohan	Eichhorn	Harris	Murphy C F	Stern
Boshart	Farrell	Hart	Murphy G W	Stratton
Brady	Ferguson	Hoey	Nevins	Surpless
Brough	Feth	Holmes	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Flanagan	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jacobs	Parker	Wainwright
Burzynski	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Prince	Weimert
Colné	Geoghagan	Loos	Ralston	Wells
Conklin	Glore	Lowe	Reece	Whitley
Conrad	Gluck	Lupton	Robinson	Whitney F G
Croak	Glynn	Maher	Rogers	Whitney G H
Cunningham	Goldberg	Mallon	Schmidt	Winters
Cuvillier	Green	Marlatt	Schoeneck	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dobbs	Hackett	McCue	Sheridan	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 747) entitled "An act to amend the Railroad Law, in relation to the inspection and care of steam locomotives" (Rec. No. 178), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Appar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E

Baldwin	Dudley	Hamn	Mooney	Smith C
Baumann	Duell	Harawitz	Moreland	Smith Myron
Blue	Eggleston	Harper	Morgan	Staley
Bohan	Eichhorn	Harris	Murphy C F	Stern
Boshart	Farrell	Hart	Murphy G W	Stratton
Brady	Ferguson	Hoey	Nevins	Surpluss
Brough	Feth	Holmes	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Flanagan	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jacobs	Parker	Wainwright
Burzynski	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Prince	Weimert
Colné	Geoghagan	Loos	Ralston	Wells
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Robinson	Whitney F G
Croak	Glynn	Maher	Rogers	Whitney G H
Cunningham	Goldberg	Mallon	Schmidt	Winters
Cuvillier	Green	Marlatt	Schoeneck	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dobbs	Hackett	McCue	Sheridan	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker in the chair.

The Senate bill (No. 576) entitled "An act to amend chapter one hundred and nine of the Laws of eighteen hundred and ninety-seven, entitled 'An act to extend the time for the Davenport, Middleburgh and Durham Railroad Company to begin the construction of its road and expend thereon ten per centum of its capital and finish and put the same in operation,' as amended by chapter one hundred and forty-one of the Laws of nineteen hundred and two, by further extension of time" (Rec. No. 154), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baldwin	Dudley	Hamn	Mooney	Smith C
Baumann	Duell	Harawitz	Moreland	Smith Myron
Blue	Eggleston	Harper	Morgan	Staley
Bohan	Eichhorn	Harris	Murphy C F	Stern
Boshart	Farrell	Hart	Murphy G W	Stratton
Brady	Ferguson	Hoey	Nevins	Surpless
Brough	Feth	Holmes	Northrup	Todd
Brown	Fillely	Hubbs	Norton	Volk
Buckley	Flanagan	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jacobs	Parker	Wainwright
Burzynski	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Prince	Weimert
Colné	Geoghagan	Loos	Ralston	Wells
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Robinson	Whitney F G
Croak	Glynn	Maher	Rogers	Whitney G H
Cunningham	Goldberg	Mallon	Schmidt	Winters
Cuvillier	Green	Marlatt	Schoeneck	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dobbs	Hackett	McCue	Sheridan	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the Assembly bill (No. 1271, Senate reprint No. 1144, Int. No. 889) entitled "An act to amend the Railroad Law, in relation to the collection of fare on certain electric surface railroads," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 5, after "be" insert "known as".

Same page and line, after "one-a" insert "and".

Same page, line 8, after "a" insert "street".

Mr. Miller moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baldwin	Dudley	Hamn	Mooney	Smith C
Baumann	Duell	Harawitz	Moreland	Smith Myron
Blue	Eggleston	Harper	Morgan	Staley
Bohan	Eichhorn	Harris	Murphy C F	Stern
Boshart	Farrell	Hart	Murphy G W	Stratton
Brady	Ferguson	Hoey	Nevins	Surpless
Brough	Feth	Holmes	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Flanagan	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jacobs	Parker	Wainwright
Burzynski	Francis	Keller	Patton	Walters
Chamberlain	Frishie	Lansing	Phillips	Waters
Cole	Garly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Prince	Weimert
Colné	Geoghagan	Loos	Ralston	Wells
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Robinson	Whitney F G
Croak	Glynn	Maher	Rogers	Whitney G H
Cunningham	Goldberg	Mallon	Schmidt	Winters
Cuvillier	Green	Marlatt	Schoeneck	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dobbs	Hackett	McCue	Sheridan	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the Assembly bill (No. 1368, Senate reprint No. 1165, Int. No. 1148) entitled "An act to amend the Public Health Law, relative to the term of office of local health officers," with a message that they have concurred in the passage of the same, with the following amendment:

On page 2, line 16, after "of" strike out "not less than".

Mr. Wood moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Merritt	Shuttleworth
Apgar	Donnelly	Hamilton	Miller	Sinclair
Averill	Dowling	Hammond	Mills	Smith A E
Baldwin	Draper	Hamn	Mooney	Smith C
Baumann	Dudley	Harawitz	Moreland	Smith Myron
Blue	Duell	Harper	Morgan	Staley
Bohan	Eggleston	Harris	Murphy C F	Stern
Boshart	Eichhorn	Hart	Murphy G W	Stratton
Brady	Farrell	Hoey	Nevins	Surplless
Brough	Ferguson	Holmes	Northrup	Todd
Brown	Feth	Hubbs	Norton	Volk
Buckley	Filley	Hurd	O'Brian	Voss
Burhyte	Flanagan	Huth	Oliver	Waddell
Burns	Foley J A	Jacobs	Parker	Wainwright
Burzynski	Fowler	Keller	Patton	Walters
Chamberlain	Francis	Lansing	Phillips	Waters
Cole	Frisbie	Lee	Prentice	Weber
Collins	Ganly	Lewis	Prince	Weimert
Colné	Garbe	Loos	Ralston	Wells
Conklin	Geoghagan	Lowe	Reece	Whitley
Conrady	Glore	Lupton	Robinson	Whitney F G
Croak	Gluck	Maher	Rogers	Whitney G H
Cunningham	Glynn	Mallon	Schmidt	Winters
Cuvillier	Goldberg	Marlatt	Schoeneck	Wood
De Groot	Green	Matthews	Schwegler	Yale
Dobbs	Gunderman	McCue	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the Assembly bill (No. 735, Senate re-print No. 1164, Int. No. 678) entitled "An act to amend chapter seven hundred and five of the Laws of nineteen hundred and five, entitled 'An act to provide for annual reports by and the examination of accounts of counties, cities of the second and third classes and villages having a population of three thousand or more, the tabulation of comparative statistics as to the cost of maintaining the various branches of government in such municipalities and making an appropriation therefor,' generally," with a message that they have concurred in the passage of the same, with the following amendments:

On page 2, line 3, after "every" insert "incorporated".

Same page and line, enclose in brackets "having a population of three thousand or more".

Mr. Robinson moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baldwin	Dudley	Hamn	Mooney	Smith C
Baumann	Duell	Harawitz	Moreland	Smith Myron
Blue	Eggleston	Harper	Morgan	Staley
Bohan	Eichhorn	Harris	Murphy C F	Stern
Boshart	Farrell	Hart	Murphy G W	Stratton
Brady	Ferguson	Hoey	Nevins	Surpless
Brough	Feth	Holmes	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Flanagan	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jacobs	Parker	Wainwright
Burzynski	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Prince	Weimert
Colné	Geoghagan	Loos	Ralston	Wells
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Robinson	Whitney F G
Croak	Glynn	Maher	Rogers	Whitney G H
Cunningham	Goldberg	Mallon	Schmidt	Winters
Cuvillier	Green	Marlatt	Schoeneck	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dobbs	Hackett	McCue	Sheridan	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the Assembly bill (No. 847, Senate reprint No. 1048, Int. No. 563) entitled "An act in relation to the use of bicycles or sidepaths, for licensing bicycles for the appointment of sidepath commissioners, and to provide for the construction, maintenance, regulation, preservation and shading of sidepaths in Suffolk county," with a message that they have concurred in the passage of the same, with the following amendments:

Page 2, line 4, strike out "they" and insert in lieu thereof "he".

Same page, line 13, after "lines" insert "of".

Same page and line, before "such" insert a comma.

Page 3, line 13, after "valid" insert "within Suffolk county".

Mr. Lupton moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Merritt	Shuttleworth
Apgar	Donnelly	Hamilton	Miller	Sinclair
Averill	Downing	Hammon 1	Mills	Smith A E
Baldwin	Draper	Hamn	Mooney	Smith C
Baumann	Dudley	Harawitz	Moreland	Smith Myron
Blue	Duell	Harper	Morgan	Staley
Bohan	Eggleston	Harris	Murphy C F	Stern
Boshart	Eichhorn	Hart	Murphy G W	Stratton
Brady	Farrell	Hoey	Nevins	Surpless
Brough	Ferguson	Holmes	Northrup	Todd
Brown	Feth	Hubbs	Norton	Volk
Buckley	Filley	Hurd	O'Brian	Voss
Burhyte	Flanagan	Huth	Oliver	Waddell
Burns	Foley J A	Jacobs	Parker	Wainwright
Burzynski	Fowler	Keller	Patton	Walters
Chamberlain	Francis	Lansing	Phillips	Waters
Cole	Frisbie	Lee	Prentice	Weber
Collins	Ganly	Lewis	Prince	Weimert
Colné	Garbe	Loos	Ralston	Wells
Conklin	Geoghagan	Lowe	Reece	Whitley
Conrady	Glore	Lupton	Robinson	Whitney F G
Croak	Gluck	Maher	Rogers	Whitney G H
Cunningham	Glynn	Mallon	Schmidt	Winters
Cuvillier	Goldberg	Marlatt	Schoeneck	Wood
De Groot	Green	Matthews	Schwegler	Yale
Dobbs	Gunderman	McCue	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1051, Senate reprint No. 1147, Int. No. 461) entitled "An act to amend the Code

of Civil Procedure, relating to notices of trial and notes of issue," with a message that they have concurred in the passage of the same, with the following amendment:

On page 2, line 13, strike out "Rensselaer".

Mr. Filley moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baldwin	Dudley	Hamn	Mooney	Smith C
Baumann	Duell	Harawitz	Moreland	Smith Myron
Blue	Eggleston	Harper	Morgan	Staley
Bohan	Eichhorn	Harris	Murphy C F	Stern
Boshart	Farrell	Hart	Murphy G W	Stratton
Brady	Ferguson	Hoey	Nevins	Surpless
Brough	Feth	Holmes	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Flanagan	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jacobs	Parker	Wainwright
Burzynski	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lew's	Prince	Weimert
Colné	Geoghagan	Loos	Ralston	Wells
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Robinson	Whitney F G
Croak	Glynn	Maher	Rogers	Whitney G H
Cunningham	Go'dberg	Mal'on	Schmidt	Winters
Cuvilier	Green	Marlatt	Schoenec'h	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dobts	Hackett	McCue	Sheridan	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the Assembly bill (No. 1756, Senate re-print No. 1146, Int. No. 370) entitled "An act to amend the

Insurance Law, relative to investments and loans by surety company," with a message that they have concurred in the passage of the same, with the following amendment:

On page 2, line 24, after "on" insert "solely".

Mr. Stanton moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baldwin	Dudley	Hamn	Mooney	Smith C
Baumann	Duell	Harawitz	Moreland	Smith Myron
Blue	Eggleston	Harper	Morgan	Staley
Bohan	Eichhorn	Harris	Murphy C F	Stern
Boshart	Farrell	Hart	Murphy G W	Stratton
Brady	Ferguson	Hoey	Nevins	Surpless
Brough	Feth	Holmes	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Flanagan	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jacobs	Parker	Wainwright
Burzynski	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Prince	Weimert
Colné	Geoghagan	Loos	Ralston	Wells
Conklin	Glore	Lowe	Reece	Whitley
Conrad	Gluck	Lupton	Robinson	Whitney F G
Croak	Glynn	Maher	Rogers	Whitney G H
Cunningham	Goldberg	Mallon	Schmidt	Winters
Cuvillier	Green	Marlatt	Schoeneck	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dobbs	Hackett	McCue	Sheridan	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

Mr. Hastings, from the committee on revision, to which was referred Senate bill (No. 945, Rec. No. 223) and Assembly bill

(No. 1839, Int. No. 1438), entitled "An act to amend the Insurance Law, relative to insurance of automobiles," reported that they have compared the same, and find that they are identical, which report was agreed to, and said Senate bill was ordered substituted for said Assembly bill and placed on the order of third reading.

On motion of Mr. Young, and by unanimous consent, said Senate bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baldwin	Dudley	Hamn	Mooney	Smith C
Baumann	Duell	Harawitz	Moreland	Smith Myron
Blue	Eggleston	Harper	Morgan	Staley
Bohan	Eichhorn	Harris	Murphy C F	Stern
Boshart	Farrell	Hart	Murphy G W	Stratton
Brady	Ferguson	Hoey	Nevins	Surpless
Brough	Feth	Holmes	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Flanagan	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jacobs	Parker	Wainwright
Burzynski	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Prince	Weimert
Colné	Geoghagan	Loos	Ralston	Wells
Conklin	Glore	Lowe	Reece	Whitley
Conrad	Gluck	Lupton	Robinson	Whitney F G
Croak	Glynn	Maher	Rogers	Whitney G H
Cunningham	Goldberg	Mallon	Schmidt	Winters
Cuvillier	Green	Marlatt	Schoeneck	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dobbs	Hackett	McCue	Sheridan	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Moreland offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly rule No. 21 be and hereby is suspended until April 19.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

A communication was received from Hon. William H. Baker, mayor of the city of Lockport, returning Assembly bill (No. 1746, Int. No. 1375) entitled "An act authorizing the city of Lockport to raise money to pay and satisfy a final judgment, and to settle a cause of action existing against the city of Lockport, the result of personal injuries sustained by Edward Moore on account of the negligence of said city," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Charles D. Robinson, mayor of the city of Newburgh, returning Assembly bill (No. 1594, Int. No. 1165) entitled "An act to revise and amend the charter of the city of Newburgh, being chapter five hundred and forty-one of the Laws of eighteen hundred and sixty-five, and the several acts amendatory thereof and supplemental thereto," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. William H. Baker, mayor of the city of Lockport, returning Assembly bill (No. 1155, Int. No. 991) entitled "An act authorizing the city of Lockport to raise money to pay and satisfy a final judgment, and to settle a cause of action existing against the city of Lockport, the result of personal injuries sustained by William Throman on account of the negligence of said city," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. J. M. Foster, mayor of the city of Fulton, returning Assembly bill (No. 1331, Int. No.

836) entitled "An act to amend chapter sixty-three of the Laws of nineteen hundred and two, entitled 'An act to incorporate the city of Fulton,' relating to limitation of actions against the city," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Mead of Albany was excused until Monday evening next.

On motion of Mr. Moreland, the House adjourned.

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## TUESDAY, APRIL 16, 1907.

The House met pursuant to adjournment.

Prayer by Rev. Charles W. Heisler.

On motion of Mr. Moreland, the reading of the journal of yesterday was dispensed with, and the same was approved.

The Senate sent for concurrence the following entitled bills:

"An act to amend the Consolidated School Law, in relation to the payment by the county of school taxes returned as unpaid in the county of Suffolk" (No. 955, Rec. No. 243), which was read the first time and referred to the committee on public education.

"An act to amend chapter six hundred and thirty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Yonkers,' relative to members of disbanded fire, hose, engine and hook and ladder companies" (No. 374, Rec. No. 244), which was read the first time and referred to the committee on affairs of cities.

"An act to amend section three of chapter two hundred and thirty-six of the Laws of nineteen hundred and five, in respect of the rate of interest to be paid on bonds provided for in said chapter" (No. 1079, Rec. No. 245), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter three hundred of the Laws of nineteen hundred and four, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls, so as to pro-

vide for a grade crossing commission, and defining the powers and duties thereof' " (No. 1082, Rec. No. 246), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter three hundred of the Laws of nineteen hundred and four, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls,' in relation to the establishment of an industrial commission for said city" (No. 1087, Rec. No. 247), which was read the first time and referred to the committee on affairs of cities.

"An act to authorize the city of Cohoes to borrow money therefor, and to construct a bridge over the first branch of the Mohawk river, at Ontario street in said city" (No. 949, Rec. No. 248), which was read the first time and referred to the committee on affairs of cities.

"An act to authorize the town of Frankfort, in Herkimer county, to regulate and control the flow of water in Moyer creek" (No. 860, Rec. No. 249), which was read the first time and referred to the committee on internal affairs.

"An act to amend the Insanity Law, relative to trust funds for the support or maintenance of insane persons in State hospitals" (No. 774, Rec. No. 250), which was read the first time and referred to the committee on the judiciary.

"An act to release to Margaretha Ansay all the right, title and interest of the people of the State of New York, in and to certain real estate situate in the city of Buffalo, county of Erie, and State of New York, acquired by escheat or otherwise upon the death of Hyronimus Wagner" (No. 1065, Rec. No. 251), which was read the first time and referred to the committee on ways and means.

"An act to amend the Greater New York charter, relative to the New York fire department relief fund and pensions" (No. 554, Rec. No. 252), which was read the first time and referred to the committee on affairs of cities.

"An act authorizing the municipal civil service commissioners of the city of New York to place on the eligible list of January twelfth, nineteen hundred and seven, applicants for the police department of the city of New York, who have become thirty years of age after the examination held on September twelfth, nineteen hundred and six" (No. 957, Rec. No. 255), which was

read the first time and referred to the committee on affairs of cities.

"An act to amend chapter forty-four of the Laws of eighteen hundred and fifty-three, entitled 'An act for the better support of the poor in the town of Newburgh, in the county of Orange,' in relation to the time of reports and estimates of the commissioners of the almshouse" (No. 1060, Rec. No. 256), which was read the first time and referred to the committee on internal affairs.

"An act to change the name of the Bushwick Avenue Methodist Episcopal Church to the 'Bushwick Avenue-Central Methodist Episcopal Church'" (No. 1040, Rec. No. 257), which was read the first time and referred to the committee on charitable and religious societies.

"An act to amend section thirty-three of chapter seven hundred and twenty-four of the Laws of nineteen hundred and five, in regard to an additional supply of pure and wholesome water for the city of New York" (No. 778, Rec. No. 253), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Greater New York charter, relative to the department of health pension fund" (No. 1130, Rec. No. 254), which was read the first time and referred to the committee on affairs of cities.

Mr. Fowler introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to the Court of Claims" (Int. No. 1696), which was read the first time and referred to the committee on codes.

Mr. O'Brian introduced a bill entitled "An act to amend the Membership Corporations Law, relative to the incorporation of bar associations" (Int. No. 1697), which was read the first time and referred to the committee on the judiciary.

Mr. C. F. Foley introduced a bill entitled "An act to amend chapter one hundred and twenty of the Laws of eighteen hundred and eighty-six, entitled 'An act to revise the charter of the city of Lockport,' relating to the police department of said city" (Int. No. 1698), which was read the first time and referred to the committee on affairs of cities.

Mr. Schoeneck introduced a bill entitled "An act to amend chapter six hundred and five of the Laws of eighteen hundred and

ninety-eight, entitled 'An act to incorporate the Genesee River Company, and to authorize the said company to construct and use a dam or reservoir near Portageville for improving and preserving the public health, checking floods, furnishing water for the enlarged Erie canal and for municipal purposes, and developing, utilizing and disposing of the waters and water power of said river and its tributaries above and below said dam or reservoir,' generally" (Int. No. 1699), which was read the first time and referred to the committee on the judiciary.

By unanimous consent, Mr. Hubbs introduced a bill entitled "An act authorizing the Commissioners of the Land Office to convey a tract of land situated at Kings Park in the town of Smithtown, Suffolk county, and forming part of the lands of the Kings Park State Hospital, in exchange for certain other land situated at Kings Park, in the town of Smithtown, Suffolk county, for the use of the said Kings Park State Hospital" (Int. No. 1700), which was read the first time.

On motion of Mr. Hubbs, and by unanimous consent, said bill was read the second time and ordered to third reading and referred to the committee on ways and means.

By unanimous consent, Mr. Lansing introduced a bill entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of The Albany Towing Company against the State of New York, and to render judgment therefor" (Int. No. 1701), which was read the first time and referred to the committee on claims.

By unanimous consent, Mr. Apgar introduced a bill entitled "An act to provide for acquiring land on Verplanck's Point in Westchester county, for a Hudson-Fulton Memorial Park, and making an appropriation therefor" (Int. No. 1702), which was read the first time and referred to the committee on ways and means.

By unanimous consent, Mr. Prince introduced a bill entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain taxes for the year nineteen hundred and six, affecting property situate in the borough of Manhattan in the city of New York now belonging to and upon which is erected the building of the Young Women's Hebrew

Association of the City of New York" (Int. No. 1703), which was read the first time.

On motion of Mr. Prince, and by unanimous consent, said bill was read the second time and ordered to third reading and referred to the committee on affairs of cities.

Mr. Phillips, from the committee on codes, to which was referred Assembly bill (No. 221, Int. No. 221) introduced by Mr. Schulz, entitled "An act to amend section twelve hundred and forty-two of the Code of Civil Procedure, relating to the sale of real property," reported in favor of the passage of the same, with the following amendment:

On page 2, line 9, strike out "immediately" and insert in place thereof "September first, nineteen hundred and seven".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Merritt, from the committee on railroads, to which was referred Senate bill (No. 48, Rec. No. 47) introduced by Mr. Heacock, entitled "An act to amend the Railroad Law, relative to the transportation of freight," reported in favor of the passage of the same, with the following amendments:

On page 2, line 20, after the word "capacity" insert "and not to exceed three in any one day".

On page 4, line 4, after the word "be" insert "promptly and at a reasonable rate of speed".

On page 4, line 5, after the word "destination" insert period.

On page 4, line 5, beginning with the word "at" strike out the balance of the line and all of line 6 down to and including the word "hours".

On page 5, line 2, after the word "railroad" insert "company".

On page 5, line 7, after the word "accident" insert ", strikes, washouts, fires".

On page 5, line 8, after word "railroad" insert "company".

On page 5, line 9, after the word "railroad" insert "company".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Cunningham, from the committee on public education, to which was referred Assembly bill introduced by Mr. Oliver (No. 123, Int. No. 123), entitled "An act to provide for a reasonable

degree of uniformity in school text-books at reasonable prices," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Nevins, from the committee on charitable and religious societies, to which was referred Senate bill introduced by Mr. Carpenter (No. 416, Rec. No. 117), entitled "An act to provide for the consolidation of the Jewish Protectory and Aid Society and of the Society for the Aid of Jewish Prisoners, and to define the powers of the consolidated corporation," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

On motion of Mr. Nevins, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Nevins, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Sinclair
Apgar	Dowling	Haines	McCue	Smith A E
Baldwin	Draper	Hamilton	Meritt	Smith C
Baumann	Dudley	Hammond	Miller	Smith Myron
Blue	Duell	Harawitz	Mills	Staley
Bohan	Eagleton	Harper	Mooney	Stern
Boshart	Egg'eton	Harris	Moreland	Stevenson
Brady	Eichhorn	Hart	Murphy C F	Stratton
Brooks	Farrell	Hastings	Murphy G W	Surpluss
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Waddell
Burhyte	Flanagan	Hubbs	Norton	Wagner
Burns	Foley C F	Hurd	O'Brian	Wainwright
Burzynski	Foley J A	Huth	Oliver	Walters
Cavanaugh	Fowler	Jackson	Parker	Waters
Chamberlain	Francis	Jacobs	Patton	Weber
Cole	Ganly	Keller	Phillips	Weimert
Collins	Garbe	Lansing	Prentice	Wells

Colné	Geoghagan	Lee	Ralston	West
Conklin	Glore	Lewis	Reece	Whitley
Conrady	Gluck	Lowe	Rogers	Whitney F G
Croak	Glynn	Lupton	Schmidt	Whitney G H
Cunningham	Goldberg	Maher	Schoeneck	Winters
Cuvillier	Gray	Mallon	Schulz	Wood
De Groot	Green	Mance	Sheridan	Young
Dobbs	Gunderman	Marlatt	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Wells, from the committee on military affairs, to which was referred Assembly bill introduced by Mr. Eagleton (No. 971, Int. No. 870), entitled "An act to amend the Military Code, in relation to the compensation of day laborers employed by the Adjutant-General," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Young (No. 1882, Int. No. 1469), entitled "An act to amend the Lien Law, in relation to the discharge of a bond or undertaking."

Also, the bill introduced by Mr. Prentice (No. 1392, Int. No. 1152), entitled "An act to amend the Penal Code, in relation to the punishment of persons convicted of the crime of extortion and blackmail."

Also, the bill introduced by Mr. Baldwin (No. 2025, Int. No. 1550), entitled "An act providing for State aid to towns under the money system which have failed to levy assessments for poll taxes."

Also, the bill introduced by Mr. Boshart (No. 1317, Int. No. 1112), entitled "An act for the promotion of agriculture and making an appropriation therefor."

Also, the bill introduced by Mr. C. F. Foley (No. 2297, Int. No. 1672), entitled "An act authorizing the city of Lockport to issue bonds, for the purpose of acquiring real property for a site for a public market and constructing the same," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was

referred Senate bill (No. 859, Rec. No. 187) and Assembly bill (No. 2129, Int. No. 1312), entitled "An act to change the name of 'Home of the Friendless of Schenectady' to 'Old Ladies' Home of Schenectady,'" reported that they have compared the same and find that they are identical, which report was agreed to, and said Senate bill was ordered substituted for said Assembly bill and placed on the order of third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Dowling (No. 1492, Int. No. 1240), entitled "An act to amend the Code of Civil Procedure, relative to fixing costs and allowances in Surrogate's Courts and the amount thereof," reported the same with the following recommendations:

On page 1, line 2, strike out "so as".

On page 1, line 9, after "and" insert comma.

On page 2, line 7, strike out "to".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Francis (No. 2200, Int. No. 857), entitled "An act to amend section thirty-four of the Greater New York charter, in relation to licensing auctioneers," reported the same with the following recommendations:

In first line of title, strike out "section thirty-four of," and insert after "charter" in same line a comma.

On page 1, line 3, strike out "[so as]".

On page 1, between lines 4 and 5, insert as a subhead "Licenses to auctioneers".

On page 2, line 10, strike out "greater".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Phillips (No. 1927, Int. No. 1232), entitled "An act to amend the Penal Code, relative to ticket speculators," reported the same with the following recommendations:

After the word "code" in the title insert comma.

In the title after "speculators" strike out period and insert in place thereof "concerning public places of amusement."

On page 1, line 2, after "adding" insert "thereto".

Same page and line, strike out "known as section" and insert in place thereof "sections".

On page 1, line 3, strike out "section" and insert after "eighty-three-d" the word "thereof".

On page 1, line 4, before "respectively" insert "to read".

Same page and line, strike out colon and insert in place thereof ", as follows: ".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Prentice (No. 1472, Int. No. 1220), entitled "An act to amend chapter five hundred and ninety-two of the Laws of eighteen hundred and ninety-seven, entitled 'An act in relation to navigation, constituting chapter thirty of the general laws,' authorizing temporary assignments of the inspectors of steam vessels to the Department of Labor," reported the same with the following recommendations:

In the first line of title, strike out "chapter five hundred and ninety-two of the laws of" and insert in place thereof "the navigation law,".

In line two of title, strike out "eighteen hundred and ninety-seven,".

In lines 2, 3 and 4 of title, strike out "entitled 'An act in relation to navigation, constituting chapter thirty of the general laws,'" and insert in place thereof "relative to".

On page 1, line 2, after "ninety-seven" insert comma and "entitled 'An act in relation to navigation, constituting chapter thirty of the general laws,'".

On page 1, line 3, strike out "so as".

On page 1, line 4, strike out "Duties" and insert in place thereof "Duty".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Haines offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on printed and engrossed bills be discharged from the further consideration of the bill (No. 1935, Int. No. 1483), entitled "An act to amend section two of title one of chapter six hundred and thirty-five of the laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Yonkers.'"

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced,

Mr. Haines moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

“Section 2. Nothing contained herein shall be taken to conflict with or supersede any provision of chapter four hundred and seventy-three of the laws of nineteen hundred and six.”

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Dowling, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. West, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

“An act to amend the Code of Criminal Procedure, with reference to the application for, and the granting of, certificates of reasonable doubt.” (No. 2218, Int. No. 607.)

“An act to release to Margaretha Ansay all the right, title and interest of the people of the State of New York in and to certain real estate situate in the city of Buffalo, county of Erie and State of New York, acquired by escheat or otherwise upon the death of Hyronimus Wagner.” (No. 1982, Int. No. 1522.)

“An act to amend the Agricultural Law, relative to appraisal of diseased animals and compensation for animals destroyed.” (No. 2056, Int. No. 1333.)

“An act to amend the Agricultural Law, relative to the exposition of products with other merchandise or stock in a place of business.” (No. 2139, Int. No. 1331.)

“An act to amend the Labor Law, relative to inspection of mines, tunnels and quarries.” (No. 2213, Int. No. 609.)

“An act to amend the Forest, Fish and Game Law, in relation to powers of the board of supervisors in respect to nets, pounds and other illegal devices.” (No. 2212, Int. No. 651.)

“An act to amend the Code of Civil Procedure, in relation to notice, before commitment, to witness refusing to obey subpœna.” (No. 2216, Int. No. 1224.)

"An act to amend the Penal Code, in relation to interpretation of terms." (No. 2214, Int. No. 1434.)

"An act to amend the Code of Civil Procedure, relative to the trial of issues separately." (No. 2217, Int. No. 784.)

"An act to amend section nine hundred and twenty-one of the Code of Civil Procedure, relative to proof of lost of documentary evidence." (No. 2215, Int. No. 729.)

"An act to amend the Forest, Fish and Game Law, in relation to spearing fish in certain tributaries of Lake Ontario." (No. 2211, Int. No. 502).

"An act to amend the Greater New York charter, relative to the police pension fund and repealing section three hundred and sixty-six thereof." (No. 2142, Int. No. 954.)

Mr. Speaker announced the special order, being the bill (No. 905) entitled "An act to amend the uniform charter of cities of the second class, in relation to ordinances and franchises" (Int. No. 834), having been announced for a second reading,

On motion of Mr. Baldwin, said bill was laid aside, retaining its place on the order of second reading.

The bill (No. 655) entitled "An act to amend chapter seven hundred and thirty-seven of the Laws of nineteen hundred and five, entitled 'An act to establish a commission of gas and electricity, with power to regulate the price of gas and electric light and certain other electric services, and to provide for the control and supervision of gas, electric light and other electric corporations, and making an appropriation therefor,'" in relation to franchises for competitive gas and electric companies" (Int. No. 614), having been announced for a third reading,

On motion of Mr. Yale, said bill was recommitted to the committee on electricity, gas and water supply, retaining its place on the order of third reading.

The bill (No. 2040) entitled "An act to amend the Public Health Law, by defining optometry and regulating the practice thereof" (Int. No. 452), having been announced for a third reading,

Mr. O'Brian moved that said bill be recommitted to the committee on public health, with instructions to report the same forthwith amended as follows:

Page 3, line 22, strike out the words "recognized college" and insert in place thereof the word "school", and after the word "optometry" insert the words, "maintaining a standard satisfactory to the said board of examiners".

Page 6, line 6, after the word "made" insert the word "and".

Page 6, line 7, strike out the words "and for contagious or infectious diseases".

Page 6, line 16, strike out the words "a satisfactory showing" and insert therein the words "it appearing to the satisfaction of the board".

Page 5, line 18, strike out the words "In case of nonpayment of this annual fee his certificate shall be revoked by the board of examiners under twenty days' notice of the time and place of considering such revocation. But no certificate shall be revoked for such nonpayment if the person so notified shall pay his fee before or at the time of this consideration, also such penalty as may be imposed by said board; providing that said board imposes a penalty of not more than five dollars on any one person so notified, as a condition of allowing his certificate to remain in force provided further, that said board of examiners may collect any such fee by suit".

Page 5, line 18, after the period insert the following: "In case any such optometrist shall fail to pay such annual dues and obtain such renewal, the board of examiners may in their discretion and upon giving reasonable notice to the party interested revoke such certificate and in addition impose a penalty of five dollars as a condition precedent to the granting thereafter of such renewal".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Robinson moved that said bill be recommitted to the committee on public health, with instructions to report the same forthwith amended as follows:

Page 4, line 5, after the word "examiners" insert "and upon submitting to said board proof satisfactory to it, in its discretion, as to his character, competency and qualifications,".

Page 6, line 4, after the word "registration" insert "or exemption".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. G. H. Whitney, from the committee on public health, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1256) entitled "An act to provide for the appointment of a commission for the selection and purchase of a site and for the erection of a borough hall thereon in and for the borough of Queens of the city of New York" (Int. No. 1087), having been announced,

Debate was had thereon, when Mr. Moreland moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 78

NOES 48

Those who voted in the affirmative were:

Allen	Dudley	Hooper	Nevins	Smith C
Apgar	Duell	Hubbs	Newton	Staley
Averill	Eggleston	Hurd	Norton	Stanton
Baldwin	Eichhorn	Lansing	O'Brian	Stevenson
Blue	Filley	Lee	Parker	Volk
Boshart	Fowler	Lewis	Patton	Voss
Brady	Francis	Lowe	Phillips	Waddell
Brough	Frisbie	Lupton	Prentice	Waters
Brown	Gray	Maher	Ralston	Weimert
Burhyte	Green	Mance	Rece	Whitley
Chamberlain	Gunderman	Marlatt	Robinson	Whitney F G
Cole	Hamilton	Merritt	Rogers	Whitney G H
Conrad	Hammond	Miller	Schoeneck	Winters
De Groot	Hamn	Mills	Shuttleworth	Wood
Dominy	Harris	Moreland	Sinclair	Yale
Dowling	Hart	Murphy C F		

Those who voted in the negative were:

Baumann	Donnelly	Gluck	Mallon	Schweg'er
Buckley	Eagleton	Glynn	McCue	Sheridan
Burns	Farrell	Hackett	Mooney	Smith A E
Burzynski	Fay	Haines	Morgan	Stern
Cavanaugh	Feth	Harper	Northrup	Stratton
Collins	Flanagan	Hoey	Oliver	Todd
Colné	Foley C F	Huth	Prince	Wagner
Croak	Foley J A	Jacobs	Schmidt	Walters
Cuvillier	Ganly	Keller	Schulz	Young
Dobbs	Geoghagan	Loos		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Moreland moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Allen	Dominy	Haines	Mills	Sinclair
Apgar	Donnelly	Hamilton	Mooney	Smith A E
Averill	Draper	Hammond	Moreland	Smith C
Baldwin	Duell	Hamn	Morgan	Staley
Baumann	Eagleton	Harper	Murphy C F	Stanton
Blue	Eggleston	Hart	Nevins	Stern
Boshart	Eichhorn	Hastings	Newton	Stevenson
Brady	Farrell	Hooper	Northrup	Stratton
Brooks	Fay	Hubbs	Norton	Todd
Brough	Ferguson	Hurd	O'Brian	Volk
Brown	Feth	Huth	Oliver	Voss
Buckley	Filley	Jackson	Parker	Waddell
Burhyte	Foley C F	Jacobs	Patton	Wagner
Burzynski	Foley J A	Lansing	Phillips	Walters
Cavanaugh	Fowler	Lee	Prentice	Waters
Chamberlain	Francis	Lewis	Ralston	Weimert
Cole	Frisbie	Lowe	Reece	Wells
Collins	Ganly	Lupton	Robinson	Whitley
Colné	Geoghagan	Maher	Rogers	Whitney F G
Conklin	Gluck	Mallon	Schmidt	Whitney G H
Conrady	Glynn	Mance	Schoeneck	Winters
Crook	Gray	Mailatt	Schulz	Wood
Cuvillier	Green	McGue	Schwegler	Yale
De Groot	Gunderman	Merritt	Sheridan	Young
Dobbs	Hackett	Miller	Shuttleworth	

Mr. Moreland moved that the call of the House be made a close call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 2004) entitled "An act to amend the Personal Property Law, relative to holders of trust funds requiring personal bonds or guarantees of payment" (Int. No. 505), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 91

NOES 14

Those who voted in the affirmative were:

Apgar	Duell	Harper	Morgan	Smith C
Boshart	Eagleton	Harris	Murphy C F	Staley
Brooks	Eggleston	Hart	Murphy G W	Stanton
Brough	Eichhorn	Hoey	Nevins	Stratton
Brown	Ferguson	Hooper	Newton	Todd
Buckley	Filley	Hurd	Northrup	Volk
Burzynski	Flanagan	Huth	Norton	Voss
Cole	Foley C F	Keller	Parker	Waddell
Collins	Foley J A	Lansing	Patton	Walters
Conklin	Francis	Lee	Prentice	Waters
Conrady	Ganly	Lewis	Prince	Weber
Croak	Geoghagan	Maher	Ralston	Weimert
Cunningham	Gluck	Mallon	Reece	Whitley
Cuvillier	Gray	Mance	Robinson	Whitney F G
De Groot	Gunderman	Marlatt	Schwegler	Whitney G H
Dobbs	Haines	McCue	Shuttleworth	Wood
Dowling	Hamilton	Merritt	Sinclair	Yale
Draper	Hamn	Mooney	Smith A E	Young
Dudley				

Those who voted in the negative were:

Chamberlain	Feth	Hackett	Lupton	Wagner
Colné	Fowler	Hammond	Moreland	Winters
Farrell	Glynn	Hubbs	Phillips	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2055) entitled "An act to amend the Agricultural Law, in relation to the sale of apples, pears and peaches" (Int. No. 1126), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C

Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Todd
Brown	Feth	Holmes	Nevins	Volk
Buckley	Filley	Hooper	Newton	Waddell
Burhyte	Flanagan	Hubbs	Northrup	Wagner
Burns	Foley C F	Hurd	Norton	Wainwright
Burzynski	Foley J A	Huth	O'Brian	Walters
Cavanaugh	Fowler	Jackson	Oliver	Waters
Chamberlain	Francis	Jacobs	Parker	Weber
Cole	Ganly	Keller	Patton	Weimert
Collins	Garbe	Lansing	Phillips	Wells
Colné	Geoghagan	Lee	Prentice	West
Conklin	Glore	Lewis	Ralston	Whitley
Conrady	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1804) entitled "An act to provide for the taxation for school purposes of the lands owned by the State and situate within the boundaries of union free school district number thirteen of the town of Islip, Suffolk county" (Int. No. 1414), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Todd

Brown	Feth	Holmes	Nevins	Volk
Buckley	Filley	Hooper	Newton	Waddell
Burhyte	Flanagan	Hubbs	Northrup	Wagner
Burns	Foley C F	Hurd	Norton	Wainwright
Burzynski	Foley J A	Huth	O'Brian	Walters
Cavanaugh	Fowler	Jackson	Oliver	Waters
Chamberlain	Francis	Jacobs	Parker	Weber
Cole	Ganly	Keller	Patton	Weimert
Collins	Garbe	Lansing	Phillips	Wells
Colné	Geoghagan	Lee	Prentice	West
Conklin	Glore	Lewis	Ralston	Whitley
Conrady	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

By unanimous consent, Mr. Nevins offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on internal affairs be discharged from the further consideration of the Senate bill (No. 1062, Rec. No. 263), entitled "An act to legalize and confirm certain proceedings of the biennial town meeting of the town of Lima, in the county of Livingston, held on the twelfth day of March, nineteen hundred and seven".

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced,

On motion of Mr. Nevins, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Nevins, said bill was referred to the committee on revision to compare with the Assembly bill (No. 1970, Int. No. 1514), same title and subject, now on the order of third reading, and report if the same are identical, and, if found identical, that said Senate bill be substituted for said Assembly bill.

The bill (No. 1970) entitled "An act to legalize and confirm certain proceedings of the biennial town meeting of the town of Lima, in the county of Livingston, held on the twelfth day of March, nineteen hundred and seven" (Int. No. 1514), having been announced for a third reading,

On motion of Mr. Nevins, said bill was recommitted to the

committee on revision, retaining its place on the order of third reading.

The bill (No. 1972) entitled "An act to authorize the commissioners of the sinking fund of the city of New York, in their discretion and upon such terms as they may deem proper, to remit certain taxes upon property of the Northwestern Dispensary in the city of New York" (Int. No. 1516), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Todd
Brown	Feth	Holmes	Nevins	Volk
Buckley	Filley	Hooper	Newton	Waddell
Burhyte	Flanagan	Hubbs	Northrup	Wagner
Burns	Foley C F	Hurd	Norton	Wainwright
Burzynski	Foley J A	Huth	O'Brian	Walters
Cavanaugh	Fowler	Jackson	Oliver	Waters
Chamberlain	Francis	Jacobs	Parker	Weber
Cole	Ganly	Keller	Patton	Weimert
Collins	Garbe	Lansing	Phillips	Wells
Colné	Geoghagan	Lee	Prentice	West
Conklin	Glore	Lewis	Ralston	Whitley
Conrady	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 906) entitled "An act to provide for erecting a bridge over Gowanus canal in the borough of Brooklyn, in the city of New York" (Int. No. 835), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Todd
Brown	Feth	Holmes	Nevins	Volk
Buckley	Filley	Hooper	Newton	Waddell
Burhyte	Flanagan	Hubbs	Northrup	Wagner
Burns	Foley C F	Hurd	Norton	Wainwright
Burzynski	Foley J A	Huth	O'Brian	Walters
Cavanaugh	Fowler	Jackson	Oliver	Waters
Chamberlain	Francis	Jacobs	Parker	Weber
Cole	Ganly	Keller	Patton	Weimert
Collins	Garbe	Lansing	Phillips	Wells
Colné	Geoghagan	Lee	Prentice	West
Conklin	Glore	Lewis	Ralston	Whitley
Conrady	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2113) entitled "An act to amend section one of chapter six hundred and nineteen of the Laws of nineteen hundred and six, entitled 'An act to authorize the Comptroller of the State of New York to hear and determine the application of J. G.

Stevens for the cancellation of the tax sale of eighteen hundred and seventy-seven of a portion of lot number fifty-nine of township number six, in the Old Military Tract in the town of Ellenburgh, county of Clinton,' in relation to the application of Charles Stevens, successor in interest of J. G. Stevens" (Int. No. 526), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Todd
Brown	Feth	Holmes	Nevins	Volk
Buckley	Filley	Hooper	Newton	Waddell
Burhyte	Flanagan	Hubbs	Northrup	Wagner
Burns	Foley C F	Hurd	Norton	Wainwright
Burzynski	Foley J A	Huth	O'Brian	Walters
Cavanaugh	Fowler	Jackson	Oliver	Waters
Chamberlain	Francis	Jacobs	Parker	Weber
Cole	Ganly	Keller	Patton	Weimert
Collins	Garbe	Lansing	Phillips	Wells
Colné	Geoghagan	Lee	Prentice	West
Conklin	Glore	Lewis	Ralston	Whitley
Conrady	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1016) entitled "An act in relation to the compensation of village officers of the village of Skaneateles" (Int. No.

1541), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Todd
Brown	Feth	Holmes	Nevins	Volk
Buckley	Filley	Hooper	Newton	Waddell
Burhyte	Flanagan	Hubbs	Northrup	Wagner
Burns	Foley C F	Hurd	Norton	Wainwright
Burzynski	Foley J A	Huth	O'Brian	Walters
Cavanaugh	Fowler	Jackson	Oliver	Waters
Chamberlain	Francis	Jacobs	Parker	Weber
Cole	Garly	Keller	Patton	Weimert
Collins	Garbe	Lansing	Phillips	Wells
Colné	Geoghagan	Lee	Prentice	West
Conklin	Glore	Lewis	Ralston	Whitley
Conrady	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1255) entitled "An act in relation to the Court of General Sessions of the county of New York" (Int. No. 1086), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 3

Those who voted in the affirmative were:

Allen	Dobbs	Gunderman	Mance	Shuttleworth
Apgar	Dominy	Hackett	Marlatt	Sinclair
Baldwin	Dowling	Haines	Matthews	Smith A E
Baumann	Draper	Hamilton	McCue	Smith C
Blue	Dudley	Hammond	Merritt	Staley
Bohan	Eagleton	Harawitz	Miller	Stern
Boshart	Eggleston	Harper	Mills	Stevenson
Brady	Eichhorn	Harris	Mooney	Stratton
Brooks	Farrell	Hart	Murphy C F	Todd
Brough	Ferguson	Hastings	Murphy G W	Volk
Brown	Feth	Hoe	Nevins	Waddell
Buckley	Filley	Holmes	Newton	Wagner
Burhyte	Flanagan	Hooper	Northrup	Wainwright
Burns	Foley C F	Hubbs	Norton	Walters
Burzynski	Foley J A	Hurd	O'Brian	Waters
Cavanaugh	Fowler	Huth	Oliver	Weber
Chamberlain	Francis	Jackson	Parker	Weimert
Cole	Ganly	Jacobs	Patton	Wells
Collins	Garbe	Keller	Phillips	West
Colné	Geoghagan	Lansing	Prentice	Whitley
Conklin	Glore	Lee	Ralston	Whitney F G
Conrady	Gluck	Lewis	Reece	Whitney G H
Croak	Glynn	Lowe	Schmidt	Winters
Cunningham	Goldberg	Lupton	Schoeneck	Wood
Cuvillier	Gray	Maher	Schulz	Young
De Groot	Green	Mallon	Sheridan	

Those who voted in the negative were:

Duell	Moreland	Rogers
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Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1761) entitled "An act to confer jurisdiction upon the board of supervisors of Erie county to hear, audit, determine and provide for the payment of the alleged claim of the Ryan, Danahy and Ryan Company" (Int. No. 1379), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 1

Those who voted in the affirmative were:

Allen	Dominy	Gunderman	Mance	Schulz
Apgar	Dowling	Hackett	Marlatt	Sheridan
Baldwin	Draper	Haines	Matthews	Shuttleworth
Baumann	Dudley	Hamilton	McCue	Sinclair
Blue	Duell	Hammond	Merritt	Smith A E
Bohan	Eagleton	Harawitz	Miller	Smith C
Boshart	Eggleston	Harper	Mills	Staley
Brady	Eichhorn	Harris	Mooney	Stern
Brooks	Farrell	Hart	Moreland	Stevenson
Brough	Ferguson	Hastings	Murphy C F	Stratton
Brown	Feth	Hoey	Murphy G W	Todd
Buckley	Filley	Holmes	Nevins	Volk
Burhyte	Flanagan	Hooper	Newton	Waddell
Burns	Foley C F	Hubbs	Northrup	Wagner
Burzynski	Foley J A	Hurd	Norton	Wainwright
Cavanaugh	Fowler	Huth	O'Brian	Walters
Chamberlain	Francis	Jackson	Oliver	Waters
Cole	Ganly	Jacobs	Parker	Weber
Collins	Garbe	Keller	Patton	Wells
Colné	Geoghagan	Lansing	Phillips	West
Conklin	Glore	Lee	Prentice	Whitley
Conrady	Gluck	Lewis	Ralston	Whitney F G
Croak	Glynn	Lowe	Reece	Whitney G H
Cunningham	Goldberg	Lupton	Rogers	Winters
Cuvillier	Gray	Maher	Schmidt	Wood
De Groot	Green	Mallon	Schoeneck	Young
Dobbs				

In the negative:

Weimert

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1975) entitled "An act authorizing the board of supervisors of Seneca county to appropriate moneys to provide quarters for Grand Army posts" (Int. No. 1520), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoe	Murphy G W	Todd
Brown	Feth	Holmes	Nevins	Volk
Buckley	Filley	Hooper	Newton	Waddell
Burhyte	Flanagan	Hubbs	Northrup	Wagner
Burns	Foley C F	Hurd	Norton	Wainwright
Burzynski	Foley J A	Huth	O'Brian	Walters
Cavanaugh	Fowler	Jackson	Oliver	Waters
Chamberlain	Francis	Jacobs	Parker	Weber
Cole	Ganly	Keller	Patton	Weimert
Collins	Garbe	Lansing	Phillips	Wells
Colné	Geoghagan	Lee	Prentice	West
Conklin	Glore	Lewis	Ralston	Whitley
Conrady	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2144) entitled "An act to amend chapter five hundred and ninety-three of the Laws of nineteen hundred and five, entitled 'An act to revise the charter of the city of Johnstown,' generally" (Int. No. 1253), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair

Baumann	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Todd
Brown	Feth	Holmes	Nevins	Volk
Buckley	Filley	Hooper	Newton	Waddell
Burhyte	Flanagan	Hubbs	Northrup	Wagner
Burns	Foley C F	Hurd	Norton	Wainwright
Burzynski	Foley J A	Huth	O'Brian	Walters
Cavanaugh	Fowler	Jackson	Oliver	Waters
Chamberlain	Francis	Jacobs	Parker	Weber
Cole	Ganly	Keller	Patton	Weimert
Collins	Garbe	Lansing	Phillips	Wells
Colné	Geoghagan	Lee	Prentice	West
Conklin	Glore	Lewis	Ralston	Whitley
Conrady	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2174) entitled "An act to amend the Forest, Fish and Game Law, relating to penalties" (Int. No. 721), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Todd
Brown	Feth	Holmes	Nevins	Volk
Buckley	Filley	Hooper	Newton	Waddell

Burhyte	Flanagan	Hubbs	Northrup	Wagner
Burns	Foley C F	Hurd	Norton	Wainwright
Burzynski	Foley J A	Huth	O'Brian	Walters
Cavanaugh	Fowler	Jackson	Oliver	Waters
Chamberlain	Francis	Jacobs	Parker	Weber
Cole	Ganly	Keller	Patton	Weimert
Collins	Garbe	Lansing	Phillips	Wells
Colné	Geoghagan	Lee	Prentice	West
Conklin	Glore	Lewis	Ralston	Whitley
Conrady	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2177) entitled "An act to amend the Railroad Law, in relation to baggage" (Int. No. 1052), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 102

NOES 16

Those who voted in the affirmative were:

Allen	Duell	Hackett	Merritt	Smith A E
Averill	Eagleton	Hamilton	Mooney	Smith C
Baumann	Eggleston	Hammond	Morgan	Staley
Blue	Eichhorn	Hamn	Murphy C F	Stanton
Boshart	Farrell	Harawitz	Murphy G W	Stern
Brooks	Fay	Harper	Nevins	Stevenson
Brough	Ferguson	Hastings	Northrup	Todd
Buckley	Feth	Hoey	Parker	Volk
Burhyte	Filley	Hubbs	Patton	Voss
Burns	Flanagan	Huth	Prince	Wagner
Burzynski	Foley C F	Jacobs	Ralston	Walters
Cavanaugh	Foley J A	Lansing	Reece	Waters
Chamberlain	Fowler	Lewis	Robinson	Weber
Colné	Francis	Loos	Rogers	Weimert
Croak	Ganly	Lowe	Schmidt	Whitley
Cuvillier	Geoghagan	Lupton	Schulz	Whitney F G
De Groot	Gluck	Maher	Schwegler	Whitney G H
Donnelly	Glynn	Mallon	Sheridan	Winters
Dowling	Gray	Marlatt	Shuttleworth	Wood
Draper	Green	McCue	Sinclair	Young
Dudley	Gunderman			

Those who voted in the negative were:

Apgar	Collins	Dominy	Hurd	Phillips
Brady	Conklin	Frisbie	Newton	Prentice
Brown	Dobbs	Hart	Norton	West
Cole				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2178) entitled "An act to amend the Forest, Fish and Game Law, in relation to the sale of trout, Oneida county" (Int. No. 1405), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoe	Murphy G W	Todd
Brown	Feth	Holmes	Nevins	Volk
Buckley	Filley	Hooper	Newton	Waddell
Burhyte	Flanagan	Hubbs	Northrup	Wagner
Burns	Foley C F	Hurd	Norton	Wainwright
Burzynski	Foley J A	Huth	O'Brian	Walters
Cavanaugh	Fowler	Jackson	Oliver	Waters
Chamberlain	Francis	Jacobs	Parker	Weber
Cole	Ganly	Keller	Patton	Weimert
Collins	Garbe	Lansing	Phillips	Wells
Colné	Geoghagan	Lee	Prentice	West
Conklin	Glore	Lewis	Ralston	Whitley
Conrad	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2176) entitled "An act to amend the Greater New York charter, in relation to the health department pension fund" (Int. No. 1374), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoev	Murphy G W	Todd
Brown	Feth	Holmes	Nevins	Volk
Buckley	Filley	Hooper	Newton	Waddell
Burhyte	Flanagan	Hubbs	Northrup	Wagner
Burns	Foley C F	Hurd	Norton	Wainwright
Burzynski	Foley J A	Huth	O'Brian	Walters
Cavanaugh	Fowler	Jackson	Oliver	Waters
Chamberlain	Francis	Jacobs	Parker	Weber
Cole	Ganly	Keller	Patton	Weimert
Collins	Garbe	Lansing	Phillips	Wells
Colné	Geoghagan	Lee	Prentice	West
Conklin	Glore	Lewis	Ralston	Whitley
Conrady	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2175) entitled "An act to amend the Executive Law, in relation to the deputies of the Comptroller" (Int. No. 1352), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoe	Murphy G W	Todd
Brown	Feth	Holmes	Nevins	Volk
Buckley	Filley	Hooper	Newton	Waddell
Burhyte	Flanagan	Hubbs	Northrup	Wagner
Burns	Foley C F	Hurd	Norton	Wainwright
Burzynski	Foley J A	Huth	O'Brian	Walters
Cavanaugh	Fowler	Jackson	Oliver	Waters
Chamberlain	Francis	Jacobs	Parker	Weber
Cole	Ganly	Keller	Patton	Weimert
Collins	Garbe	Lansing	Phillips	Wells
Colné	Geoghagan	Lee	Prentice	West
Conklin	Glore	Lewis	Ralston	Whitley
Conrady	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2141) entitled "An act to provide for the opening and maintenance of inlets from the ocean into Shinnecock bay and into Mecox bay, in the town of Southampton, in the county of Suffolk, and repealing chapter six hundred and twenty-eight of the Laws of eighteen hundred and eighty-seven, chapter two hundred and fifty-seven of the Laws of eighteen hundred and ninety-two and a part of chapter twenty-nine of the Laws of eighteen hundred and seventy-three" (Int. No. 1505), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Todd
Brown	Feth	Holmes	Nevins	Volk
Buckley	Filley	Hooper	Newton	Waddell
Burhyte	Flanagan	Hubbs	Northrup	Wagner
Burns	Foley C F	Hurd	Norton	Wainwright
Burzynski	Foley J A	Huth	O'Brian	Walters
Cavanaugh	Fowler	Jackson	Oliver	Waters
Chamberlain	Francis	Jacobs	Parker	Weber
Cole	Ganly	Keller	Patton	Weimert
Collins	Garbe	Lansing	Phillips	Wells
Colné	Geoghagan	Lee	Prentice	West
Conklin	Glore	Lewis	Ralston	Whitley
Conrad	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2173) entitled "An act to amend the Highway Law, relative to commutation of highway labor, Montgomery county" (Int. No. 1257), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Todd
Brown	Feth	Holmes	Nevins	Volk
Buckley	Filley	Hooper	Newton	Waddell
Burhyte	Flanagan	Hubbs	Northrup	Wagner
Burns	Foley C F	Hurd	Norton	Wainwright
Burzynski	Foley J A	Huth	O'Brian	Walters
Cavanaugh	Fowler	Jackson	Oliver	Waters
Chamberlain	Francis	Jacobs	Parker	Weber
Cole	Ganly	Keller	Patton	Weimert
Collins	Garbe	Lansing	Phillips	Wells
Colné	Geoghagan	Lee	Prentice	West
Conklin	Glore	Lewis	Ralston	Whitley
Conrady	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2009) entitled "An act ratifying the laying out and extending of Housman avenue from Richmond terrace to Pierhead line, in the borough of Richmond, city of New York, and authorizing and empowering the board of estimate and apportionment, in its discretion, to take action relative to the necessary expenses incurred in relation to the same" (Int. No. 1534), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Todd
Brown	Feth	Holmes	Nevins	Volk
Buckley	Filley	Hooper	Newton	Waddell
Burhyte	Flanagan	Hubbs	Northrup	Wagner
Burns	Foley C F	Hurd	Norton	Wainwright
Burzynski	Foley J A	Huth	O'Brian	Walters
Cavanaugh	Fowler	Jackson	Oliver	Waters
Chamberlain	Francis	Jacobs	Parker	Weber
Cole	Ganly	Keller	Patton	Weimert
Collins	Garbe	Lansing	Phillips	Wells
Colné	Geoghagan	Lee	Prentice	West
Conklin	Glore	Lewis	Ralston	Whitley
Conrady	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2010) entitled "An act ratifying the laying out and extending of Nicholas avenue from Richmond terrace to Pierhead line, in the borough of Richmond, city of New York, and authorizing and empowering the board of estimate and apportionment, in its discretion, to take action relative to the necessary expenses incurred in relation to the same" (Int. No. 1535), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Todd
Brown	Feth	Holmes	Nevins	Volk
Buckley	Filley	Hooper	Newton	Waddell
Burhyte	Flanagan	Hubbs	Northrup	Wagner
Burns	Foley C F	Hurd	Norton	Wainwright
Burzynski	Foley J A	Huth	O'Brian	Walters
Cavanaugh	Fowler	Jackson	Oliver	Waters
Chamberlain	Francis	Jacobs	Parker	Weber
Cole	Ganly	Keller	Patton	Weimert
Collins	Garbe	Lansing	Phillips	Wells
Colné	Geoghagan	Lee	Prentice	West
Conklin	Glore	Lewis	Ralston	Whitley
Conrady	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1964) entitled "An act to amend the Greater New York charter, by providing for an appropriation for the Legal Aid Society of the City of New York" (Int. No. 1508), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair

Baumann	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Todd
Brown	Feth	Holmes	Nevins	Volk
Buckley	Filley	Hooper	Newton	Waddell
Burhyte	Flanagan	Hubbs	Northrup	Wagner
Burns	Foley C F	Hurd	Norton	Wainwright
Burzynski	Foley J A	Huth	O'Brian	Walters
Cavanaugh	Fowler	Jackson	Oliver	Waters
Chamberlain	Francis	Jacobs	Parker	Weber
Cole	Ganly	Keller	Patton	Weimert
Collins	Garbe	Lansing	Phillips	Wells
Colné	Geoghagan	Lee	Prentice	West
Conklin	Glore	Lewis	Ralston	Whitley
Conrady	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2075) entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' relating to the official printing of said city" (Int. No. 1562), having been announced for a third reading,

On motion of Mr. O'Brian, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 1765) entitled "An act to amend chapter three hundred and fifty-nine of the Laws of eighteen hundred and ninety-seven, entitled 'An act to incorporate the city of Rensselaer,' in relation to the collection of taxes" (Int. No. 1383), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Todd
Brown	Feth	Holmes	Nevins	Volk
Buckley	Filley	Hooper	Newton	Waddell
Burhyte	Flanagan	Hubbs	Northrup	Wagner
Burns	Foley C F	Hurd	Norton	Wainwright
Burzynski	Foley J A	Huth	O'Brian	Walters
Cavanaugh	Fowler	Jackson	Oliver	Waters
Chamberlain	Francis	Jacobs	Parker	Weber
Cole	Ganly	Keller	Patton	Weimert
Collins	Garbe	Lansing	Phillips	Wells
Colné	Geoghagan	Lee	Prentice	West
Conklin	Glore	Lewis	Ralston	Whitley
Conrad	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2115) entitled "An act in furtherance of the commission heretofore created to confer with the Governor and Legislature of the State of New Jersey for the purpose of developing a system of transit between the city of New York and the State of New Jersey, extending its powers and making an appropriation therefor" (Int. No. 947), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoev	Murphy G W	Todd
Brown	Feth	Holmes	Nevins	Volk
Buckley	Filley	Hooper	Newton	Waddell
Burhyte	Flanagan	Hubbs	Northrup	Wagner
Burns	Foley C F	Hurd	Norton	Wainwright
Burzynski	Foley J A	Huth	O'Brian	Walters
Cavanaugh	Fowler	Jackson	Oliver	Waters
Chamberlain	Francis	Jacobs	Parker	Weber
Cole	Ganly	Keller	Patton	Weimert
Collins	Garbe	Lansing	Phillips	Wells
Colné	Geoghagan	Lee	Prentice	West
Conklin	Glore	Lewis	Ralston	Whitley
Conrady	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1140) entitled "An act making an appropriation for the promotion of agriculture" (Int. No. 983), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Merritt	Smith A E

Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Todd
Brown	Feth	Holmes	Nevins	Volk
Buckley	Filley	Hooper	Newton	Waddell
Burhyte	Flanagan	Hubbs	Northrup	Wagner
Burns	Foley C F	Hurd	Norton	Wainwright
Burzynski	Foley J A	Huth	O'Brian	Walters
Cavanaugh	Fowler	Jackson	Oliver	Waters
Chamberlain	Francis	Jacobs	Parker	Weber
Cole	Ganly	Keller	Patton	Weimert
Collins	Garbe	Lansing	Phillips	Wells
Colné	Geoghagan	Lee	Prentice	West
Conklin	Glore	Lewis	Ralston	Whitley
Conrady	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Young
Dobbs	Gundermann			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2085) entitled "An act to amend the Penal Code, relative to bootblacks" (Int. No. 1572), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Argar	Dowling	Haines	Mattfews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Todd
Brown	Feth	Holmes	Nevins	Volk
Buckley	Filley	Hooper	Newton	Waddell
Burhyte	Flanagan	Hubbs	Northrup	Wagner

Burns	Foley C F	Hurd	Norton	Wainwright
Burzynski	Foley J A	Huth	O'Brien	Walters
Cavanaugh	Fowler	Jackson	Oliver	Waters
Chamberlain	Francis	Jacobs	Parker	Weber
Cole	Ganly	Keller	Patton	Weimert
Collins	Garbe	Lansing	Phillips	Wells
Colné	Geoghagan	Lee	Prentice	West
Conklin	Glore	Lewis	Ralston	Whitley
Conrady	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Young
Dobbs	Gundermann			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1691) entitled "An act requiring certain publications to print correct data as to persons responsible therefor, and declaring the effect of failure to do so" (Int. No. 9), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Todd
Brown	Feth	Holmes	Nevins	Volk
Buckley	Filley	Hooper	Newton	Waddell
Burhyte	Flanagan	Hubbs	Northrup	Wagner
Burns	Foley C F	Hurd	Norton	Wainwright
Burzynski	Foley J A	Huth	O'Brien	Walters
Cavanaugh	Fowler	Jackson	Oliver	Waters
Chamberlain	Francis	Jacobs	Parker	Weber
Cole	Ganly	Keller	Patton	Weimert
Collins	Garbe	Lansing	Phillips	Wells
Colné	Geoghagan	Lee	Prentice	West

Conklin	Glore	Lewis	Ralston	Whitley
Conrad	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mance	Schoeneck	Wood
De Groot	Green	Mallon	Schulz	Young
Dobbs	Gunderman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1344) entitled "An act to amend chapter one hundred and fifteen of the Laws of eighteen hundred and ninety-eight, entitled 'An act to provide for the improvement of the public highways,' in relation to payment of assessment by towns instead of abutting owners" (Int. No. 1124), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Todd
Brown	Feth	Holmes	Nevins	Volk
Buckley	Filley	Hooper	Newton	Waddell
Burhyte	Flanagan	Hubbs	Northrup	Wagner
Burns	Foley C F	Hurd	Norton	Wainwright
Burzynski	Foley J A	Huth	O'Brian	Walters
Cavanaugh	Fowler	Jackson	Oliver	Waters
Chamberlain	Francis	Jacobs	Parker	Weber
Cole	Ganly	Keller	Patton	Weimert
Collins	Garbe	Lansing	Phillips	Wells
Colné	Geoghagan	Lee	Prentice	West
Conklin	Glore	Lewis	Ralston	Whitley
Conrad	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H

Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Young
Dobbs	Gundermann			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 369) entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relative to fees payable to clerks" (Rec. No. 41), having been announced for third reading,

Mr. J. A. Foley moved that said bill be recommitted to the committee on codes, with instructions to report the same forthwith amended as follows:

On page 2, line 4, strike out all words after "dollar".

On page 2, line 5, strike out all words.

On page 2, line 8, strike out the words "fifty cents" and insert the words "one dollar" in place thereof.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 1

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Fichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Todd

Brown	Feth	Holmes	Nevins	Volk
Buckley	Fille	Hooper	Newton	Waddell
Burhyte	Flanagan	Hubbs	Northrup	Wagner
Burns	Foley C F	Hurd	Norton	Wainwright
Burzynski	Fowler	Huth	O'Brian	Walters
Cavanaugh	Francis	Jackson	Oliver	Waters
Chamberlain	Ganly	Jacobs	Parker	Weber
Cole	Garbe	Keller	Patton	Weimert
Collins	Geoghagan	Lansing	Phillips	Wells
Colné	Glore	Lee	Prentice	West
Conklin	Gluck	Lewis	Ralston	Whitley
Conrad	Glynn	Lowe	Reece	Whitney F G
Croak	Goldberg	Lupton	Rogers	Whitney G H
Cunningham	Gray	Maher	Schmidt	Winters
Cuvillier	Green	Mallon	Schoeneck	Wood
De Groot	Gunderman	Mance	Schulz	Young
Dobbs				

In the negative:

Foley J A

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 784) entitled "An act to amend section four hundred and fifty-eight of the Penal Code, relating to crimes against the public peace" (Rec. No. 140), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 77

NOES 55

Those who voted in the affirmative were:

Allen	Cuvillier	Garbe	Maher	Schoeneck
Apgar	Dobbs	Geoghagan	Mallon	Schulz
Baumann	Donnelly	Gluck	Mance	Schwegler
Boshart	Dowling	Glynn	Merritt	Sheridan
Brooks	Draper	Hackett	Mooney	Smith A E
Brough	Eagleton	Haines	Murphy C F	Stern
Buckley	Eichhorn	Harawitz	Murphy G W	Stratton
Burns	Farrell	Hastings	Northrup	Todd
Burzynski	Fay	Hoey	Oliver	Wagner
Cavanaugh	Feth	Hooper	Phillips	Walters
Chamberlain	Flanagan	Huth	Prentice	Weber

Collins	Foley C F	Keller	Prince	Wells
Conklin	Foley J A	Lee	Ralston	Whitley
Conrad	Fowler	Loos	Reece	Yale
Croak	Francis	Lowe	Schmidt	Young
Cunningham	Ganly			

Those who voted in the negative were:

Averill	Fille	Hubbs	Nevins	Staley
Brady	Frisbie	Hurd	Newton	Stanton
Brown	Gray	Lansing	Norton	Stevenson
Burhyte	Green	Lewis	O'Brian	Volk
Cole	Gundermann	Lupton	Parker	Waters
Colné	Hamilton	Marlatt	Patton	Weimert
De Groot	Hammond	McCue	Robinson	West
Dominy	Hamn	Miller	Rogers	Whitney F G
Dudley	Harper	Mills	Shuttleworth	Whitney G H
Duell	Harris	Moreland	Sinclair	Winters
Eggleston	Hart	Morgan	Smith C	Wood

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 367) entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' with reference to the opening of defaults or dismissals, vacating judgments and final orders" (Rec. No. 42), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Todd

Brown	Feth	Holmes	Nevins	Volk
Buckley	Filley	Hooper	Newton	Waddell
Burhyte	Flanagan	Hubbs	Northrup	Wagner
Burns	Foley C F	Hurd	Norton	Wainwright
Burzynski	Foley J A	Hath	O'Brian	Walters
Cavanaugh	Fowler	Jackson	Oliver	Waters
Chamberlain	Francis	Jacobs	Parker	Weber
Cole	Ganly	Keller	Patton	Weimert
Collins	Garbe	Lansing	Phillips	Wells
Colné	Geoghagan	Lee	Prentice	West
Conklin	Glore	Lewis	Ralston	Whitley
Conrady	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Young
Dobbs	Gundermann			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 968) entitled "An act to require the construction and maintenance of guard-rails at all elevated railway stations in the boroughs of Manhattan and the Bronx in the city of New York" (Int. No. 867), having been announced for a second reading,

On motion of Mr. Moreland, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 1202) entitled "An act to amend the Code of Civil Procedure with respect to the City Court of the city of New York, relating to an increase of the number of justices and salaries of justices, the duties of the justices abrogating the limitation of the clerk of the amount for which judgment may be entered, and repealing the section relating thereto, relating to the appointment and removal of clerks, attendants, et cetera, and their duties, creating an appellate term of the court for the hearing of appeals from the municipal courts of the city of New York and from the City Court, and providing how such appeals may be heard, and judgments thereon enforced, and allowing appeals to the Appellate Division in certain cases from judgments of the City Court, and also in reference to other matters pertaining to the administration of the court" (Int. No. 287), having been announced for a second reading,

On motion of Mr. Wagner, and by unanimous consent, said bill was ordered placed on the second reading calendar for Thursday next.

The bill (No. 2197) entitled "An act to amend chapter one hundred and ninety of the Laws of eighteen hundred and seventy-eight, entitled 'An act to protect the Seaside boulevard and meadows adjacent thereto on the south shore of Staten Island, and to prevent the same from being injured or overflowed by the waters of the bay of New York,' in relation to the removal of sand, earth or clay" (Int. No. 1568), having been announced for a second reading,

On motion of Mr. Moreland, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 2198) entitled "An act to incorporate the Long Sault Development Company, and to authorize said company to construct and maintain dams, canals, power-houses and locks at or near Long Sault island, for the purpose of improving the navigation of the Saint Lawrence river and developing power from the waters thereof, and to construct and maintain a bridge, and carry on the manufacture of commodities" (Int. No. 1005), having been announced for a second reading,

On motion of Mr. Moreland, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The Senate bill (No. 531, Assembly reprint No. 2199) entitled "An act to amend the Greater New York charter, in relation to retiring members of the fire department" (Rec. No. 86), was read the second time.

On motion of Mr. Prentice, said bill was placed on the order of third reading and referred to the committee on revision.

By unanimous consent, Mr. Hoey offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of the Senate bill (No. 1130, Rec. No. 254), entitled "An act to amend the Greater New York charter, relative to the department of health pension fund".

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, on motion of Mr. Hoey, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Hoey, said bill was referred to the committee on revision to compare with the Assembly bill (No. 2203, Int. No. 1179), same title and subject, now on the order of third reading, and report if the same are identical and, if found identical, that said Senate bill be substituted for said Assembly bill.

The bill (No. 2203) entitled "An act to amend the Greater New York charter, relative to the department of health pension fund" (Int. No. 1179), was read the second time.

On motion of Mr. Hoey, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2209) entitled "An act to provide for the collection and enforcement of State and county taxes in the city of Troy, and for the sale of lands for unpaid State and county taxes in the county of Rensselaer, and to legalize and confirm the acts of the county treasurer of Rensselaer county and of other officials of said county in regard to the collection and enforcement of State and county taxes in the county of Rensselaer" (Int. No. 1458), was read the second time.

On motion of Mr. Filley, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2204) entitled "An act to amend the Greater New York charter, relative to revocation of licenses for public amusements" (Int. No. 1509), having been announced for a second reading,

On motion of Mr. Moreland, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 2205) entitled "An act to abolish the board of commissioners in and for the city of Yonkers" (Int. No. 1487), was read the second time.

On motion of Mr. Haines, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2206) entitled "An act to amend the Greater New York charter, relative to vacations of employees whose compensation is fixed by the day or hour" (Int. No. 1447), having been announced for a second reading,

On motion of Mr. Moreland, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 2207) entitled "An act to empower the commissioners of estimate and appraisal to estimate and allow damages sustained by owners of real property fronting upon streets and avenues abutting or approaching the bridge between Jackson avenue, in the former town of Newtown and Broadway, in the former town of Flushing in the borough of Queens, city of New York" (Int. No. 1019), having been announced for a second reading,

On motion of Mr. Moreland, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 2210) entitled "An act to amend the Tax Law, in relation to the recording tax on mortgages" (Int. No. 1448), having been announced for second reading,

Mr. Green moved to amend as follows:

Page 2, line 14, after the word "agreement" insert "executed subsequently to an existing mortgage", after the word "whereby" strike out "or existing" and insert "such".

Page 2, line 15, after the word "as" insert "primary", line 16, strike out "than" and insert "additional to"; also strike out "the" and insert "such" and strike out "itself".

Line 24, after the word "thereof" insert "or at any time thereafter".

Page 3, line 15, between "the" and "owner" insert "record".

Line 18, strike out "accurately" and insert "verified by the record owner or the agent or officer of such record owner", after the word "mortgage" insert "by giving the date of the same and the liber and page of the record thereof together with the names of the parties thereto".

Page 4, line 1, strike out "due". At the end of line 5, add the words "and of the amount of the tax paid".

Line 6, strike out "the owner of".

Line 7, strike out "of".

Line 8, strike out "all" and "privileges".

Line 10, insert after "mortgage" "whenever the original mortgage is presented to the clerk together with the statement he shall also note on said original mortgage the fact of the filing of the said statement and also the amount of the tax paid duly attested by his signature, which endorsement shall be conclusive evidence of the payment of such tax".

WEDNESDAY, APRIL 17, 1907.

The House met pursuant to adjournment.

Prayer by Rev. H. Clarke Colebrook.

On motion of Mr. Moreland, the reading of the journal of yesterday was dispensed with, and the same was approved.

The Senate sent for concurrence the following entitled bills:

"An act to amend the Penal Code, relative to violations of provisions of the Labor Law" (No. 33, Rec. No. 259), which was read the first time and referred to the committee on codes.

"An act to amend the State Finance Law, in relation to the duties of State officers concerning receipts and expenditures" (No. 1201, Rec. No. 260), which was read the first time and referred to the committee on ways and means.

"An act to amend the Election Law, in relation to independent nominations" (No. 1200, Rec. No. 261), which was read the first time and referred to the committee on the judiciary.

"An act to amend section three hundred and eighty-two of the Code of Civil Procedure, relative to the statute of limitations" (No. 1198, Rec. No. 262), which was read the first time and referred to the committee on codes.

Mr. Duell introduced a bill entitled "An act to make the office of the clerk of the county of Westchester a salaried office, and regulating the management of said office" (Int. No. 1704), which was read the first time and referred to the committee on internal affairs.

Mr. Wagner introduced a bill entitled "An act to amend the Public Health Law, in relation to the housing of men" (Int. No. 1705), which was read the first time and referred to the committee on Public Health.

Mr. Cuvillier introduced a bill entitled "An act to amend the Penal Code, relative to carrying dangerous and concealed weapons" (Int. No. 1706), which was read the first time and referred to the committee on codes.

Also, "An act to authorize the city of New York to grant to the New York Central and Hudson River Railroad Company, and to its lessors, rights, interests and easements in certain streets,

avenues and places in the borough of the Bronx in the said city of New York" (Int. No. 1707), which was read the first time and referred to the committee on affairs of cities.

Mr. Blue introduced a bill entitled "An act to amend the State Finance Law in relation to salaries of certain officers and employees of the State charitable institutions" (Int. No. 1708), which was read the first time and referred to the committee on ways and means.

Also, "An act to provide for the repair of the monument erected in honor of Baron Steuben, in the town of Steuben, county of Oneida, and making an appropriation therefor" (Int. No. 1709), which was read the first time and referred to the committee on ways and means.

Mr. Moreland introduced a bill entitled "An act to amend chapter seven hundred and eighteen of the Laws of nineteen hundred and four, entitled 'An act authorizing the selection of lands as a site for the New York State Training School for Boys, and establishing the said school,' as amended by chapter one hundred and thirty-three of the Laws of nineteen hundred and five and by chapter six hundred and seventeen of the Laws of nineteen hundred and six, in relation to the selection of lands and the time of making report" (Int. No. 1710), which was read the first time and referred to the committee on ways and means.

Mr. Apgar introduced a bill entitled "An act to amend chapter one hundred and seventeen of the Laws of eighteen hundred and eighty-three, entitled 'An act to amend, consolidate and revise the charter of the village of Peekskill, and the several acts amendatory thereof,' in relation to the power and authority of the board of trustees" (Int. No. 1711), which was read the first time and referred to the committee on affairs of villages.

Mr. Moreland, from the committee on ways and means, to which was referred Assembly bill (No. 2147, Int. 1588) introduced by Mr. Draper, entitled "An act making an appropriation for electrical installation at the State Reservation at Niagara," reported in favor of the passage of the same, with the following amendment:

Page 1, line 1, strike out "fourteen" and insert "twelve", also strike out "14" and insert "12".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Mead, from the committee on the judiciary, to which was referred Assembly bill introduced by Mr. Dobbs (No. 1173, Int. No. 1014), entitled "An act to protect the purchasers on sales of real estate where the deed was executed by an attorney-in-fact prior to January first, eighteen hundred and seventy-five."

Also, Assembly bill introduced by Mr. Hoey (No. 1157, Int. No. 1000), entitled "An act to enable John Montgomery to be admitted to practice as an attorney and counsellor at law of the Supreme Court of the State of New York."

Also, Assembly bill introduced by Mr. Cuvillier (No. 1717, Int. No. 1359), entitled "An act to prohibit the making or publishing of false or exaggerated statements or publications of or concerning the affairs, pecuniary conditions or property of any corporation, joint stock association, copartnership or individual, which said statements or publications are intended to give, or shall have a tendency to give, a less or greater apparent value to the shares, bonds or property, or part thereof, of said corporation, joint stock association, copartnership or individual than the said shares, bonds or property shall really and in fact possess, and providing a penalty therefor."

Also, Assembly bill introduced by Mr. Rogers (No. 2154, Int. No. 1595), entitled "An act to amend chapter four hundred and twenty-one of the Laws of eighteen hundred and fifty-five, entitled 'An act to regulate the liability of hotel-keepers and owners and managers of steamboats navigating the waters of this State,' in relation to limiting the liability of hotel-keepers in certain cases," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Mead, from the committee on the judiciary, to which was recommitted Assembly bill introduced by Mr. Chamberlain (No. 1858, Int. No. 1271), entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section three of article two of the Constitution, in relation to the qualifications of certain voters."

Also, Assembly bill introduced by Mr. Northrup (No. 2201,

Int. No. 903), entitled "An act to amend chapter five hundred and sixty-eight of the Laws of eighteen hundred and ninety, entitled 'An act in relation to highways, constituting chapter nineteen of the general laws,' in relation to appeals."

Also, Assembly bill introduced by Mr. Schoeneck (No. 2254, Int. No. 1518), entitled "An act to amend the Election Law relative to form of ballots and canvass of the vote on voting machines."

Also, Assembly bill introduced by Mr. Wainwright (No. 2255, Int. No. 1567), entitled "An act to amend chapter five hundred and ninety-six of the Laws of eighteen hundred and seventy-four, entitled 'An act to incorporate the Manhattan Mortgage Company,' in relation to loans on real estate," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills ordered placed on the order of second reading.

Mr. Mead, from the committee on the judiciary, to which was referred Senate bill introduced by Mr. Dunn (No. 783, Rec. No. 135), entitled "An act to amend the State Charities Law, in relation to the visitations and reports of managers of State charitable institutions."

Also, Senate bill introduced by Mr. Sohmer (No. 764, Rec. No. 195), entitled "An act to incorporate the Hebrew Free Loan Association."

Also, Senate bill introduced by Mr. Hooker (No. 978, Rec. No. 79), entitled "An act to amend chapter one hundred and twenty of the Laws of eighteen hundred and eighty-one, entitled 'An act concerning certain records in the office of the Secretary of State and of the Comptroller,' relative to filing certain election returns and files in the State Library," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Apgar, from the committee on internal affairs, to which was referred Assembly bill introduced by Mr. Miller (No. 2192, Int. No. 1629), entitled "An act to amend the Town Law, in relation to assessors' clerks in certain towns of the county of Nassau."

Also, Assembly bill introduced by Mr. Miller (No. 2160, Int. No. 1602), entitled "An act to amend chapter six hundred and

eighty-six of the Laws of eighteen hundred and ninety-four, entitled, as amended, 'An act for the preservation of macadamized and other public highways in the counties of Queens and Nassau,' by exempting certain roads from certain of the provisions thereof."

Also, Assembly bill introduced by Mr. Waddell (No. 225, Int. No. 225), entitled "An act to amend chapter sixty-six of the Laws of nineteen hundred and six, entitled 'An act to make the office of sheriff of the county of Warren a salaried office,' by increasing the number of deputies."

Also, Assembly bill introduced by Mr. Matthews (No. 257, Int. No. 256), entitled "An act to legalize the issuing of bonds of the town of Franklin, in the county of Franklin, authorized by the board of supervisors of said county, for the purpose of defraying the expense of filling in and repairing a portion of the highway leading from Loon lake to Bloomingdale known as the 'Long Crossway' in said town, and to provide for the payment of the principal and interest thereof."

Also, Assembly bill introduced by Mr. F. G. Whitney (No. 1670, Int. No. 1338), entitled "An act to amend the County Law, in relation to properly marking the graves of honorably discharged soldiers, sailors and marines."

Also, Assembly bill introduced by Mr. Shuttleworth (No. 2233, Int. No. 1642), entitled "An act to amend chapter three hundred and ninety-four of the Laws of nineteen hundred and four, entitled 'An act to create and establish the office of commissioner of elections in the county of Erie and prescribing his duties,' relating to the commissioner of elections."

Also, Assembly bill introduced by Mr. F. G. Whitney (No. 1855, Int. No. 1450), entitled "An act to amend chapter two hundred and twenty-three of the Laws of eighteen hundred and ninety, entitled 'An act to authorize towns to raise money to defray the expenses of the proper observances of Memorial or Decoration Day,' relative to the duties of town boards."

Also, Assembly bill introduced by Mr. Miller (No. 1887, Int. No. 1474), entitled "An act to annex to union free school district number twenty-one of the town of Hempstead, Nassau county, a part of the territory of the union free school district number eleven of the town of Hempstead."

Also, Assembly bill introduced by Mr. Miller (No. 2229, Int. No. 1637), entitled "An act to amend the Town Law, in relation to notice of special town meeting."

Also, Assembly bill introduced by Mr. Mallon (No. 1428, Int. No. 1183), entitled "An act to amend section three of chapter two hundred and thirty-one of the Laws of eighteen hundred and seventy-six, entitled 'An act to make the office of supervisor, in the county of Erie, a salaried office, and to provide for the appointment and compensation of other officers of said board,' as amended by chapter one hundred and ninety-five of the Laws of eighteen hundred and seventy-nine, as further amended by chapter four hundred and eighty-five of the Laws of eighteen hundred and ninety-two, in relation to the officers of the board of supervisors, and as further amended by chapter four hundred and eighty-seven of the Laws of eighteen hundred and ninety-eight."

Also, Assembly bill introduced by Mr. Draper (No. 726, Int. No. 669), entitled "An act to authorize the town of Lewiston, Niagara county, to pay a certain portion of the expense of improving the highway from Lewiston to Dickersonville."

Also, Assembly bill introduced by Mr. Stratton (No. 816, Int. No. 750), entitled "An act to amend the Highway Law, relating to the cutting and removal of noxious weeds and brush and providing for the same when the highway is in the boundary lines between two or more towns," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Apgar, from the committee on internal affairs, to which was referred Assembly bill introduced by Mr. Rogers (No. 2326, Int. No. 1682), entitled "An act to authorize the board of supervisors of Broome county to pay certain accounts incurred in connection with the centennial celebration in said county and to levy a tax therefor," retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. Apgar, from the committee on internal affairs, to which was referred Assembly bill (No. 1889, Int. No. 1476) introduced by Mr. Miller, entitled "An act to empower the local authorities

of the town of Hempstead, in the county of Nassau, to pay certain accounts," reported in favor of the passage of the same, with the following amendment:

Page 1, line 9, strike out the word "six" and insert in place thereof the word "three".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Apgar, from the committee on internal affairs, to which was referred Assembly bill (No. 1884, Int. No. 1471) introduced by Mr. Glore, entitled "An act to amend chapter seven hundred and six of the Laws of nineteen hundred and one, relative to additional clerks and assistants in the office of the register of the county of Kings, and fixing the compensation thereof," reported in favor of the passage of the same, with the following amendment:

Page 2, line 17, after the semi-colon insert the following: "three abstract clerks fifteen hundred dollars each;"

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Apgar, from the committee on internal affairs, to which was referred Senate bill introduced by Mr. Hooker (No. 1023, Rec. No. 186), entitled "An act to amend the County Law, in relation to the custody and care of minors in county jails."

Also, Senate bill introduced by Mr. Emerson (No. 612, Rec. No. 139), entitled "An act to make the office of the county clerk of the county of Fulton a salaried office, and to provide for the conduct of said office."

Also, Senate bill introduced by Mr. Davis (No. 74, Rec. No. 98), entitled "An act to legalize the proceedings of the town board and board of highway commissioners of the town of West Seneca, Erie county, New York, in constructing sewers in Edson street, Duerstein avenue and Burch avenue, in said town of West Seneca, and making assessments therefor," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Schoeneck, from the committee on taxation and retrenchment, to which was referred Assembly bill introduced by Mr. Aver-

ill (No. 1447, Int. No. 1202), entitled "An act to amend the Tax Law, in relation to the taxation of special franchises," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hammond, from the committee on electricity, gas and water supply, to which was referred Assembly bill introduced by Mr. Apgar (No. 1719, Int. No. 1362), entitled "An act to provide for an additional supply of pure and wholesome water for the village of Peekskill; for the acquisition of lands or interest therein, and for the construction of the necessary reservoir, dams and other appurtenances for that purpose," reported the same with the following amendments:

On page 2, line 4, strike out word "counties" and insert in place thereof the word "county".

On page 2, lines 4 and 5, strike out words "and Putnam".

which report was agreed to, and said bill ordered reprinted and placed on the order of second reading.

Mr. Hubbs, from the committee on affairs of villages, to which was referred Assembly bill introduced by Mr. Apgar (No. 2164, Int. No. 1606), entitled "An act to amend chapter two hundred and forty-two of the Laws of nineteen hundred and six, entitled 'An act to amend, revise and consolidate the charter of the village of Ossining and to extend the boundaries of said village.'"

Also, Assembly bill introduced by Mr. Stratton (No. 689, Int. No. 646), entitled "An act to amend the Village Law, relative to powers, duties and fees of policemen."

Also, Assembly bill introduced by Mr. Parker (No. 2083, Int. No. 1570), entitled "An act to amend chapter three hundred and seventy-one of the Laws of eighteen hundred and ninety-three, entitled 'An act to revise and consolidate the several acts in relation to the village of Dansville, and to revise and amend the charter of said village and to repeal certain acts and parts of acts,' generally," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Hubbs, from the committee on affairs of villages, to which was referred Assembly bill introduced by Mr. Hastings (No.

2241, Int. No. 1650), entitled "An act to amend the general Village Law, in relation to auctioneering, peddling, hawking and selling goods in villages incorporated thereunder," retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. Hubbs, from the committee on affairs of villages, to which was referred Senate bill introduced by Mr. Carpenter (No. 1018, Rec. No. 181), entitled "An act to amend an act entitled 'An act to provide for supplying the village of White Plains with water and authorizing the issue of bonds therefor, and to create a board of water commissioners for said village,' being chapter seven hundred and sixty-nine of the Laws of eighteen hundred and ninety-six."

Also, Senate bill introduced by Mr. Heacock (No. 989, Rec. No. 208), entitled "An act to amend chapter three hundred and fifteen of the Laws of eighteen hundred and ninety-five, entitled 'An act to amend and consolidate the several acts relating to the village of Ilion,' relative to salaries of policemen," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. G. H. Whitney, from the committee on public health, to which was referred Assembly bill introduced by Mr. Duell (No. 2069, Int. No. 1556), entitled "An act to amend the Public Health Law, in relation to pharmacists," reported the same with the following amendments:

On page 2, line 8, strike out the word "license" and insert the word "licensed".

On page 2, lines 8 and 9, strike out all the words after the word "state".

On page 2, line 8, after the word "state" insert the words "of New York".

and request that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. G. H. Whitney, from the committee on public health, to which was referred Senate bill introduced by Mr. Page (No. 1045, Rec. No. 194), entitled "An act in relation to the medical society of the state of New York," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mills, from the committee on fisheries and game, to which was referred Assembly bill, introduced by Mr. Merritt (No. 1353, Int. No. 1133), entitled "An act to amend the Forest, Fish and Game Law, in relation to private parks, and repealing certain sections thereof."

Also, Assembly bill introduced by Mr. Merritt (No. 1354, Int. No. 1134), entitled "An act to amend the Forest, Fish and Game Law, in relation to protection against forest fires."

Also, Assembly bill introduced by Mr. Norton (No. 371, Int. No. 366), entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for grouse, woodcock, quail and squirrels in the county of Washington," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Mills, from the committee on fisheries and game, to which was recommitted Assembly bill introduced by Mr. Hooper (No. 1573, Int. No. 1281), entitled "An act to amend the Forest, Fish and Game Law, relative to taxidermists," retaining its place on the order of third reading, reported in favor of the passage of the same, with the following amendments:

On page 1, in line 7, after the word commission insert italics the following: "under regulations prescribed by the commissioner of forest, fish and game".

On page 1, line 10, after the word specimens insert in italics "big game and".

On page 2, line 1, strike out after the word state the word "such".

On page 2, strike out line 2.

On page 2, strike out the words "wild birds within the state of New York".

On page 2, line 23, after the word all insert in italics "big game and".

On page 2, line 23 and line 24, strike out the words "for which there is no open season".

On page 2, line 26, after the word license strike out the word "and" and insert in italics "which record shall be open at all times to any game protector or other duly authorized officer and every holder of a license shall".

On page 3, line 2, after the word "year" insert in italics the following: "Any false entry of name or address of owner or of date or place of capture tending to conceal the history of any specimen illegally killed shall be sufficient ground for revocation of the license".

On page 3, line 3, strike out the word "shall" and insert in italics the word "may".

On page 3, line 20, after the word section insert in italics "shall have his license revoked by the commission and".

which report was agreed to, and said bill ordered reprinted and restored to its place on the order of third reading.

Mr. Mills, from the committee on fisheries and game, to which was recommitted Assembly bill introduced by Mr. Mills (No. 1504, Int. No. 908), entitled "An act to amend the Forest, Fish and Game Law, in relation to issuing licenses for nets," reported in favor of the passage of the same, with the following amendments:

On page 1, line 8, strike out the words "and in the salt".

On page 1, line 9, after the word "state" insert in italics "and all rivers and streams tributary to the sea".

which report was agreed to, and said bill ordered reprinted and placed on the order of second reading.

Mr. Mills, from the committee on fisheries and game, to which was referred Senate bill introduced by Mr. Cobb (No. 1038, Int. No. 215), entitled "An act to amend the Forest, Fish and Game Law, in relation to the annual compilation of the law," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hastings, from the committee on revision, to which was referred Senate bill (No. 1062, Rec. No. 258) and Assembly bill (No. 1970, Int. No. 1514), entitled "An act to legalize and confirm certain proceedings of the biennial town meeting of the town of Lima, in the county of Livingston, held on the twelfth day of March, nineteen hundred and seven," reported that they have compared the same and find that they are identical, which report

was agreed to, and said Senate bill was ordered substituted for said Assembly bill, and placed on the order of third reading.

Mr. Hastings, from the committee on revision, to which was referred Senate bill (No. 1130, Rec. No. 254) and Assembly bill (No. 2203, Int. No. 1179), entitled "An act to amend the Greater New York charter, relative to the department of health pension fund," reported that they have compared the same and find that they are not identical, which report was agreed to, and said Senate bill ordered placed on the order of third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Haines (No. 2205, Int. No. 1487), entitled "An act to abolish the board of park commissioners in and for the city of Yonkers."

Also, the bill introduced by Mr. Robinson (No. 2248, Int. No. 1266), entitled "An act to provide for the appointment of a State commission of prisons, and defining its powers and duties."

Also, the bill introduced by Mr. Hart (No. 2202, Int. No. 445), entitled "An act to authorize the mayor of the city of Utica to appoint a commission to investigate plans for developing or acquiring a municipal water supply for said city."

Also, the bill introduced by Mr. Hooper (No. 2275, Int. No. 1494), entitled "An act to authorize the Comptroller of the State to hear and determine the application of May R. DeSilva, for the cancellation of the eighteen hundred and ninety-five tax sale of lot forty-one, great lots seven and ten, Darling's first survey, Hardenburgh patent, in the county of Ulster."

Also, the bill introduced by Mr. Hooper (No. 2278, Int. No. 1329), entitled "An act to authorize the Comptroller of the State to hear and determine the application of Rawson L. Hayes, for redemption from the tax sales made by the Comptroller in eighteen hundred and seventy-seven and eighteen hundred and eighty-one, upon lot number one hundred and sixty-four in township eleven, Old Military Tract, Essex county."

Also, Assembly bill introduced by Mr. C. Smith (No. 2183, Int. No. 1620), entitled "An act to amend the Forest, Fish and Game Law, in relation to fishing in Otsego lake," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Lowe (No. 2299, Int. No. 1674), entitled "An act to amend chapter two hundred and twenty-eight of the Laws of eighteen hundred and ninety-five, entitled 'An act relating to moneys received by the town of Hounsfield from the sale of stock in the Carthage, Watertown and Sacketts Harbor Railroad Company,' as to the care and custody of such moneys," reported the same with the following recommendations:

On page 1, in title, third line, after "to" insert "the".

On page 1, in fifth line of title, strike out "as" and insert in place thereof "relative".

On page 1, in last line of title, strike out period and insert in place thereof "and the accounting and removal of railroad commissioner."

On page 1, line 3, before "moneys" insert "the".

On page 1, line 5, strike out "the second".

On page 1, line 6, after first "section" insert "two".

Same page and line, strike out "a section" and insert in place thereof "two new sections".

Same page and line, strike out "known as section" and insert in place thereof "sections".

Same page and line, strike out ", which" and insert in place thereof "and two B thereof".

On page 1, strike out line 7 and insert in place thereof "to read, respectively, as follows:".

On page 2, line 3, strike out "depository" and insert in place thereof "depository".

On page 2, line 6, strike out "tary" and insert in place thereof "tory".

On page 2, line 8, strike out "securties" and insert in place thereof "securities".

On page 2, line 11, strike out "tary" and insert in place thereof "tory".

On page 2, line 13, strike out both "depository" and insert in place thereof "depository".

On page 2, line 16, strike out "depository" and insert in place thereof "depository".

On page 2, strike out lines 17, 18 and 19.

On page 3, line 22, strike out "3" and insert in place thereof "2".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Haines (No. 2247, Int. No. 1178), entitled "An act to amend the Railroad Law, in relation to the protection of street railroad employees, in the county of Westchester," reported the same with the following recommendations:

On page 1, line 3, after "railroads" strike out comma.

Same page and line, strike out "eight" and insert in place thereof "nine".

On page 1, line 5, after "be" insert "section".

Same page and line, strike out ", and" and insert in place thereof "thereof," after "thirteen-b".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Hooper (No. 2256, Int. No. 1539), entitled "An act to amend the Labor Law, relative to children working in streets and public places in cities of the first or second class," reported the same with the following recommendations:

On page 2, line 8, after "twelve" insert comma.

On page 2, line 10, after "newspapers" italicize comma.

On page 4, line 15, after "newspapers" italicize comma.

On page 4, line 26, italicize comma after newspapers.

On page 4, line 18, after "police" insert comma.

On page 5, strike out lines 3, 4, 5 and the word "evening.]" on line 6.

On page 5, line 6, before "Enforcement" insert "§ 179."

On page 5, line 13, italicize "who".

On page 5, line 14, after "newspapers" italicize comma.

On page 5, line 15, after "shall" insert "[must]".

On page 5, line 15, before "the" at beginning of line insert "[under circumstances forbidden by]".

On page 5, line 19, after "shall" strike out comma.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. West, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend chapter four hundred and seventy-one of the Laws of nineteen hundred and five, entitled 'An act to authorize the city of New Rochelle to borrow money for street improvements and issue bonds therefor,' relative to the rate of interest to be paid on bonds." (No. 2268, Int. No. 1536.)

"An act to amend the Code of Civil Procedure generally, and repealing sections nine hundred and seventy-eight and nine hundred and seventy-nine thereof." (No. 2220, Int. No. 785.)

"An act to amend the Greater New York charter, relative to proceedings taken by commissioner of docks." (No. 2304, Int. No. 1399.)

"An act to amend the Greater New York charter, in relation to street improvements in certain wards of the city, and to provide for the raising of money and the levy and collection of special assessments therefor." (No. 2224, Int. No. 303.)

"An act to amend the Domestic Relations Law, by providing for marriage licenses." (No. 2271, Int. No. 184.)

"An act to amend chapter seven hundred and sixty of the Laws of eighteen hundred and ninety-seven, entitled 'An act to revise the charter of the city of Watertown,' in relation to the liability of the city." (No. 2302, Int. No. 1517.)

"An act to amend chapter five hundred and eighteen of the laws of eighteen hundred and sixty-seven, entitled 'An act to amend an act entitled "An act to incorporate the village of White Plains," passed April third, eighteen hundred and sixty-six,' generally." (No. 2221, Int. No. 1259.)

"An act creating the office of county attorney." (No. 2300, Int. No. 933.)

"An act to amend the Highway Law, in relation to State aid in towns under the money system." (No. 2267, Int. No. 1530.)

"An act to amend the Railroad Law, in relation to rates of fare." (No. 2269, Int. No. 475.)

"An act to amend the Election Law, as amended by chapters ninety-five and two hundred and thirty-two of the Laws of nineteen hundred and one and chapter six hundred and forty-three of the Laws of nineteen hundred and five, relating to notices of election." (No. 2301, Rec. No. 138.)

"An act to amend the Highway Law, in relation to exempting certain counties from the poll tax." (No. 2223, Int. No. 472.)

"An act to amend the Greater New York charter, relative to salaries of the members of the fire department." (No. 2270, Int. No. 611.)

"An act to amend the Forest, Fish and Game Law, in relation to the close season for wild fowl in certain parts of the county of Niagara." (No. 2303, Int. No. 1236.)

"An act to amend chapter one hundred and eighty-five of the Laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Auburn.' " (No. 2222, Rec. No. 19.)

"An act for the promotion of agriculture and making an appropriation therefor." (No. 1317, Int. No. 1112.)

"An act to authorize the mayor of the city of Utica to appoint a commission to investigate plans for developing or acquiring a municipal water supply for said city." (No. 2202, Int. No. 445.)

"An act to abolish the board of park commissioners in and for the city of Yonkers." (No. 2205, Int. No. 1487.)

"An act to provide for the appointment of a State commission of prisons, and defining its powers and duties." (No. 2248, Int. No. 1266.)

"An act to authorize the Comptroller of the State to hear and determine the application of Rawson L. Hayes, for redemption from the tax sales made by the Comptroller in eighteen hundred and seventy-seven and eighteen hundred and eighty-one, upon lot number one hundred and sixty-four in township eleven, Old Military Tract, Essex county." (No. 2278, Int. No. 1329.)

"An act authorizing the city of Lockport to issue bonds, for the purpose of acquiring real property for a site for a public market and constructing the same." (No. 2297, Int. No. 1672.)

"An act providing for State aid to towns under the money system which have failed to levy assessments for poll taxes." (No. 2025, Int. No. 1550.)

"An act to amend the Forest, Fish and Game Law, in relation to fishing in Otsego lake." (No. 2183, Int. No. 1620.)

"An act to authorize the Comptroller of the State to hear and determine the application of May R. DeSilva, for the cancellation of the eighteen hundred and ninety-five tax sale of lot forty-one, great lots seven and ten, Darling's first survey, Harden-

burgh patent, in the county of Ulster." (No. 2275, Int. No. 1494.)

"An act to amend the Lien Law, in relation to the discharge of a bond or undertaking." (No. 1882, Int. No. 1469.)

"An act to amend the Penal Code, in relation to the punishment of persons convicted of the crime of extortion and blackmail." (No. 1392, Int. No. 1152.)

"An act to amend section one of chapter two hundred and forty-two of the Laws of eighteen hundred and ninety-nine, entitled "An act authorizing the acquisition of lands by the United States for the purpose of erecting public buildings thereon for post-offices and other government offices in the cities of this State, and ceding jurisdiction over such lands." (No. 1967, Int. No. 1511.)

Mr. Schulz moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded.

Allen	Duell	Haines	Mills	Smith A E
Apgar	Eagleton	Hammond	Mooney	Smith C
Averill	Eggleston	Harawitz	Moreland	Staley
Baumann	Farrell	Harris	Morgan	Stanton
Blue	Fay	Hoey	Murphy C F	Stern
Boshart	Ferguson	Holmes	Nevins	Stevenson
Brady	Filley	Hooper	Newton	Stratton
Broo's	Flanagan	Hubbs	Northrup	Todd
Brough	Foley C F	Hurd	O'Brian	Volk
Brown	Francis	Huth	Oliver	Voss
Buckley	Frisbie	Jacobs	Parker	Wagner
Burhyte	Ganly	Lansing	Patton	Wainwright
Burns	Garbe	Lee	Phillips	Walters
Burzynski	Geoghagan	Lewis	Prentice	Waters
Collins	Glore	Lowe	Prince	Weimert
Colné	Gluck	Lupton	Reece	West
Conklin	Glynn	Maher	Robinson	Whitley
Croak	Goldberg	Mallon	Rogers	Whitney F G
Cuvillier	Gray	Mance	Schoeneck	Whitney G H
De Groot	Green	Marlatt	Schulz	Winters
Donnelly	Gundermann	Merritt	Sheridan	Wood
Draper	Hackett	Miller	Sinclair	Young
Dudley				

Mr. Schulz moved that the call of the House be made a close call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Schulz offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on internal affairs be discharged from the further consideration of the bill (No. 85, Int. No. 85), entitled "An act to erect the county of the Bronx from the territory now comprised within the limits of the borough of the Bronx in the city of New York, as constituted by chapter three hundred and seventy-eight of the laws of eighteen hundred and ninety-seven and all acts amendatory thereof and supplemental thereto."

Debate was had thereon, when Mr. Moreland moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Schulz, and it was determined in the negative.

AYES 40

NOES 81

Those who voted in the affirmative were:

Baumann	Dobbs	Garbe	Hurth	Schulz
Bohan	Donnelly	Geoghagan	Jacobs	Sheridan
Buckley	Fay	Gluck	Keller	Smith A E
Burzynski	Feth	Glynn	Mallon	Stern
Cavanaugh	Flanagan	Goldberg	Mooney	Stratton
Collins	Foley C F	Harawitz	Oliver	Todd
Croak	Foley J A	Hoey	Prince	Wagner
Cuvillier	Ganly	Holmes	Schmidt	Walters

Those who voted in the negative were:

Allen	Dudley	Hamn	Mills	Schoeneck
Apgar	Duell	Harper	Moreland	Sinclair
Averill	Eggleston	Harris	Morgan	Smith C
Blue	Eichhorn	Hooper	Murphy C F	Staley
Brady	Ferguson	Hubbs	Murphy G W	Stanton
Brooks	Filley	Hurd	Nevins	Stevenson
Brough	Fowler	Lansing	Newton	Volk
Brown	Francis	Lewis	O'Brian	Wainwright
Burhyte	Frisbie	Lowe	Parker	Waters
Cole	Glore	Lupton	Patton	Weber
Coln�	Gray	Maher	Phillips	Weimert
Conklin	Green	Mance	Prentice	West
Conrady	Gundermann	Marlatt	Ralston	Whitley
Cunningham	Haines	Matthews	Reece	Whitney F G
De Groot	Hamilton	Merritt	Robinson	Whitney G H
Dominy	Hammond	Miller	Rozaers	Wood
Draper				

The bill (No. 968) entitled "An act to require the construction and maintenance of guard rails at all elevated railway stations in the boroughs of Manhattan and the Bronx in the city of New York" (Int. No. 867), having been announced for second reading, Mr. Moreland moved to recommit said bill to the committee on railroads.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

AYES 76

NOES 34

Those who voted in the affirmative were:

Allen	Cunningham	Hammond	Morgan	Staley
Apgar	De Groot	Hamn	Murphy G W	Stanton
Averill	Dominy	Harris	Newton	Stevenson
Blue	Draper	Hooper	O'Brian	Surpless
Boshart	Dudley	Hubbs	Oliver	Volk
Brady	Duell	Hurd	Parker	Voss
Brooks	Eggleston	Keller	Patton	Waddell
Brough	Eichhorn	Lewis	Phillips	Wainwright
Brown	Ferguson	Lowe	Prentice	Waters
Burhyte	Filley	Mance	Ralston	Weber
Burns	Fowler	Marlatt	Robinson	Weimert
Cole	Francis	Matthews	Rogers	Whitley
Collins	Frisbie	Miller	Schoeneck	Whitney F G
Colné	Green	Mills	Sinclair	Whitney G H
Conklin	Gundermann	Moreland	Smith C	Winters
Conrad				

Those who voted in the negative were:

Bohan	Eagleton	Gluck	Merritt	Stern
Buckley	Fay	Glynn	Mooney	Stratton
Burzynski	Feth	Hamilton	Northrup	Todd
Cavanaugh	Flanagan	Holmes	Prince	Wagner
Croak	Foley C F	Huth	Schmidt	Walters
Cuvillier	Ganly	Mallon	Schulz	West
Donnelly	Geoghagan	McCue	Smith A E	

The bill (No. 2197) entitled "An act to amend chapter one hundred and ninety of the Laws of eighteen hundred and seventy-eight, entitled 'An act to protect the Seaside boulevard and meadows adjacent thereto on the south shore of Staten Island, and to prevent the same from being injured or overflowed by the waters of the bay of New York,' in relation to the removal of sand, earth or clay" (Int. No. 1568), was read the second time.

On motion of Mr. Croak, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2198) entitled "An act to incorporate the Long Sault Development Company, and to authorize said company to construct and maintain dams, canals, power-houses and locks at or near Long Sault island, for the purpose of improving the navigation of the Saint Lawrence river and developing power from the waters thereof, and to construct and maintain a bridge, and carry on the manufacture of commodities" (Int. No. 1005), was read the second time.

On motion of Mr. Merritt, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2204) entitled "An act to amend the Greater New York charter, relative to revocation of licenses for public amusements" (Int. No. 1509), having been announced for second reading, Mr. Robinson moved to amend as follows:

Page 2, line 8, before word "occasioned" insert following: "including reasonable counsel fees."

Line 17, after word "thereof" strike out comma.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the second time, and on motion of Mr. Robinson was ordered reprinted and placed on the order of third reading and referred to the committee on revision.

The bill (No. 2206) entitled "An act to amend the Greater New York charter, relative to vacations of employees whose compensation is fixed by the day or hour" (Int. No. 1447), was read the second time.

On motion of Mr. Hoey, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2207) entitled "An act to empower the commissioners of estimate and appraisal to estimate and allow damages sustained by owners of real property fronting upon streets and avenues abutting or approaching the bridge between Jackson avenue, in the former town of Newtown, and Broadway, in the former town of Flushing, in the borough of Queens, city of New York" (Int. No. 1019), was read the second time.

On motion of Mr. Flanagan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2260) entitled "An act to amend the Railroad Law, in relation to the rate of fare" (Int. No. 1501), having been announced for second reading, Mr. Moreland moved to re-commit said bill to the committee on railroads.

Debate was had thereon, when Mr. Moreland moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Moreland, and it was determined in the negative.

AYES 49

NOES 74

Those who voted in the affirmative were:

Allen	Dominy	Hamm	Miller	Schoeneck
Averill	Draper	Harris	Mills	Staley
Blue	Dudley	Hooper	Moreland	Stanton
Boshart	Duell	Hubbs	Morgan	Stevenson
Brady	Eggleston	Hurd	Newton	Wainwright
Burhyte	Ferguson	Lewis	O'Brian	West
Chamberlain	Fowler	Lupton	Patton	Whitley
Cole	Frisbie	Mance	Phillips	Whitney F G
Cunningham	Gundermann	Marlatt	Prentice	Whitney G H
De Groot	Hamilton	Matthews	Robinson	

Those who voted in the negative were:

Baumann	Farrell	Harper	Murphy G W	Stern
Bohan	Fay	Hoey	Nevins	Stratton
Brooks	Feth	Holmes	Northrup	Volk
Buckley	Filley	Huth	Oliver	Voss
Burzynski	Flanagan	Jacobs	Parker	Waddell
Cavanaugh	Foley C F	Keller	Prince	Wagner
Collins	Foley J A	Lansing	Ralston	Walters
Colné	Ganly	Loos	Reece	Waters
Conklin	Garbe	Lowe	Rogers	Weber
Conrady	Geoghagan	Maher	Schulz	Weimert
Croak	Glore	Mallon	Schwegler	Winters
Cuvillier	Glynn	McCue	Sheridan	Wood
Dobbs	Gray	Merritt	Sinclair	Yale
Eagleton	Green	Mooney	Smith A E	Young
Eichhorn	Hackett	Murphy C F	Smith C	

Said bill was then read the second time.

On motion of Mr. Wagner, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2261) entitled "An act to amend the Code of Civil Procedure, in relation to the distribution of personal prop-

erty, and to repeal subdivision three of section twenty-seven hundred and thirty-two" (Int. No. 587), was read the second time.

On motion of Mr. Baldwin, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2262) entitled "An act to amend the Labor Law, relative to hours of labor of certain employees on railroads" (Int. No. 891), was read the second time.

On motion of Mr. Northrup, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 713, Assembly reprint No. 2246) entitled "An act to amend the Agricultural Law, in relation to the suppression of infectious and contagious diseases of domestic animals" (Rec. No. 148), was read the second time.

On motion of Mr. Wood, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2279) entitled "An act to amend the Greater New York charter and the Municipal Court act of the city of New York, by providing for a reorganization of the Municipal Court of the city of New York and for changes in the constitution and in the powers of said court and in the practice therein; and to regulate the salaries of the justices thereof" (Int. No. 1054), having been announced for a second reading,

On motion of Mr. Phillips, said bill was recommitted to the committee on codes, retaining its place on the order of second reading.

The bill (No. 971) entitled "An act to amend the Military Code, in relation to the compensation of day laborers employed by the adjutant-general" (Int. No. 870), was read the second time.

On motion of Mr. Eagleton, said bill was placed on the order of third reading.

On motion of Mr. Eagleton, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Matthews	Sheridan
Averill	Draper	Hamilton	Merritt	Shuttleworth
Baldwin	Dudley	Hammond	Miller	Sinclair
Baumann	Duell	Hamn	Mills	Smith A E
Blue	Eagleton	Harper	Mooney	Smith C
Boshart	Eggleston	Harris	Moreland	Stern
Brady	Eichhorn	Hart	Morgan	Stevenson
Brooks	Farrell	Hastings	Murphy G. W	Stratton
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Voss
Burhyte	Foley C F	Hubbs	Norton	Waddell
Burns	Foley J A	Hurd	O'Brian	Wagner
Cavanaugh	Fowler	Huth	Oliver	Wainwright
Chamberlain	Francis	Jackson	Parker	Waters
Cole	Frisbie	Jacobs	Patton	Weber
Collins	Ganly	Lansing	Phillips	Weimert
Colné	Garbe	Lee	Prentice	Wells
Conklin	Geoghagan	Lewis	Ralston	West
Conrady	Glore	Loos	Reece	Whitley
Croak	Glynn	Lowe	Robinson	Whitney F G
Cunningham	Goldberg	Lupton	Rogers	Whitney G H
Culliver	Gray	Maher	Schmidt	Winters
De Groot	Green	Mallon	Schoeneck	Wood
Dominy	Gunderman	Mance	Schulz	Yale
Donnelly	Hackett	Marlatt	Schwegler	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 123) entitled "An act to provide for a reasonable degree of uniformity in school textbooks at reasonable prices" (Int. No. 123), having been announced for a second reading,

On motion of Mr. Oliver, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 590) entitled "An act in relation to compelling the issue of transfers at a certain point on the subway and elevated railroads in the city of New York" (Int. No. 562), having been announced for a third reading,

On motion of Mr. Francis, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 2091) entitled "An act to amend the Military Code, in relation to the use of armories by military bands and drum corps" (Int. No. 1042), having been announced for a third reading,

On motion of Mr. Frisbie, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 2142) entitled "An act to amend the Greater New York charter, relative to the police pension fund and repealing section three hundred and sixty-six thereof" (Int. No. 954), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hamilton	Merritt	Shuttleworth
Averill	Dudley	Hammond	Miller	Sinclair
Baldwin	Duell	Hamn	Mills	Smith A E
Baumann	Eagleton	Harper	Mooney	Smith C
Blue	Eggleston	Harris	Moreland	Stern
Boshart	Eichhorn	Hart	Morgan	Stevenson
Brady	Farrell	Hastings	Murphy G W	Stratton
Brooks	Ferguson	Hoey	Nevins	Todd
Brough	Feth	Holmes	Newton	Volk
Brown	Filley	Hooper	Northrup	Voss
Buckley	Foley C F	Hubbs	Norton	Waddell
Burns	Foley J A	Hurd	O'Brian	Wagner
Cavanaugh	Fowler	Huth	Oliver	Wainwright
Chamberlain	Francis	Jackson	Parker	Waters
Cole	Frisbie	Jacobs	Patton	Weber
Collins	Ganly	Lansing	Phillips	Weimert
Colné	Garbe	Lee	Prentice	Wells
Conklin	Geoghagan	Lewis	Ralston	West
Conrad	Glore	Loos	Reece	Whitley
Croak	Glynn	Lowe	Robinson	Whitney F G
Cunningham	Goldberg	Lupton	Rogers	Whitney G H
Cuvillier	Gray	Maher	Schmidt	Winters
De Groot	Green	Mallon	Schoeneck	Wood
Dominy	Gundermann	Mance	Schulz	Yale
Donnelly	Hackett	Marlatt	Schwegler	Young
Dowling	Haines	Matthews	Sheridan	

Mr. Dowling moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 138

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Matthews	Sheridan
Averill	Draper	Hamilton	Merritt	Shuttleworth
Baldwin	Dudley	Hammond	Miller	Sinclair
Baumann	Duell	Hamn	Mills	Smith A E
Blue	Eagleton	Harper	Mooney	Smith C
Boshart	Eggleston	Harris	Moreland	Stern
Brady	Eichhorn	Hart	Morgan	Stevenson
Brooks	Farrell	Hastings	Murphy G. W	Stratton
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Voss
Burhyte	Foley C F	Hubbs	Norton	Waddell
Burns	Foley J A	Hurd	O'Brian	Wagner
Cavanaugh	Fowler	Huth	Oliver	Wainwright
Chamberlain	Francis	Jackson	Parker	Waters
Cole	Frisbie	Jacobs	Patton	Weber
Collins	Ganly	Lansing	Phillips	Weimert
Colné	Garbe	Lee	Prentice	Wells
Conklin	Geoghagan	Lewis	Ralston	West
Conrady	Glore	Loos	Reece	Whitley
Croak	Glynn	Lowe	Robinson	Whitney F G
Cunningham	Goldberg	Lupton	Rogers	Whitney G H
Cuvillier	Gray	Maher	Schmidt	Winters
De Groot	Green	Mallon	Schoeneck	Wood
Dominy	Gundermann	Mance	Schulz	Yale
Donnelly	Hackett	Marlatt	Schwegler	Young

On motion of Mr. Dowling, said bill was laid aside, retaining its place on the order of third reading.

The Senate bill (No. 859) entitled "An act to change the name of 'Home of the Friendless of Schenectady' to 'Old Ladies' Home of Schenectady'" (Rec. No. 187), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Matthews	Sheridan
Averill	Draper	Hamilton	Merritt	Shuttleworth
Baldwin	Dudley	Hammond	Miller	Sinclair

Baumann	Duell	Hamn	Mills	Smith A E
Blue	Eagleton	Harper	Mooney	Smith C
Boshart	Eggleston	Harris	Moreland	Stern
Brady	Eichhorn	Hart	Morgan	Stevenson
Brooks	Farrell	Hastings	Murphy G W	Stratton
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Voss
Burhyte	Foley C F	Hubbs	Norton	Waddell
Burns	Foley J A	Hurd	O'Brian	Wagner
Cavanaugh	Fowler	Huth	Oliver	Wainwright
Chamberlain	Francis	Jackson	Parker	Waters
Cole	Frisbie	Jacobs	Patton	Weber
Collins	Ganly	Lansing	Phillips	Weimert
Colné	Garbe	Lee	Prentice	Wells
Conklin	Geoghagan	Lewis	Ralston	West
Conrad	Glore	Loos	Reece	Whitley
Croak	Glynn	Lowe	Robinson	Whitney F G
Cunningham	Goldberg	Lupton	Rogers	Whitney G H
Cuvillier	Gray	Maher	Schmidt	Winters
De Groot	Green	Mallon	Schoeneck	Wood
Dominy	Gundermann	Mance	Schulz	Yale
Donnelly	Hackett	Marlatt	Schwegler	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 2218) entitled "An act to amend the Code of Criminal Procedure, with reference to the application for, and the granting of certificates of reasonable doubt" (Int. No. 607), having been announced for third reading, Mr. Cuvillier moved that said bill be recommitted to the committee on codes, with instructions to report the same forthwith amended as follows:

On page 3, line 21, after the word "application", insert the words "the judge or justice pending an order to show cause for the granting of the stay of certificate of reasonable doubt, he may admit the defendant to bail pending the application for the certificate of reasonable doubt."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130  
NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Matthews	Sheridan
Averill	Draper	Hamilton	Merritt	Shuttleworth
Baldwin	Dudley	Hammond	Miller	Sinclair
Baumann	Duell	Hamn	Mills	Smith A E
Blue	Eagleton	Harper	Mooney	Smith C
Boshart	Eggleston	Harris	Moreland	Stern
Brady	Eichhorn	Hart	Morgan	Stevenson
Brooks	Farrell	Hastings	Murphy G W	Stratton
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Voss
Burhyte	Foley C F	Hubbs	Norton	Waddell
Burns	Foley J A	Hurd	O'Brian	Wagner
Cavanaugh	Fowler	Huth	Oliver	Wainwright
Chamberlain	Francis	Jackson	Parker	Waters
Cole	Frisbie	Jacobs	Patton	Weber
Collins	Ganly	Lansing	Phillips	Weimert
Colné	Garbe	Lee	Prentice	Wells
Conklin	Geoghagan	Lewis	Ralston	West
Conrady	Glore	Loos	Reece	Whitley
Croak	Glynn	Lowe	Robinson	Whitney F G
Cunningham	Goldberg	Lupton	Rogers	Whitney G H
Cuvillier	Gray	Maher	Schmidt	Winters
De Groot	Green	Mallon	Schoeneck	Wood
Dominy	Gundermann	Mance	Schulz	Yale
Donnelly	Hackett	Marlatt	Schwegler	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

By unanimous consent, Mr. Brooks offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on ways and means be discharged from the further consideration of the Senate bill (No. 1065, Rec. No. 251), entitled "An act to release to Margaretha Ansay all the right, title and interest of the people of the state of New York, in and to certain real estate situate in the city of Buffalo, county of Erie and state of New York acquired by escheat or otherwise upon the death of Hyronimus Wagner."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, on motion of Mr. Brooks, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Brooks, said bill was referred to the committee on revision to compare with the Assembly bill (No. 1982,

Int. No. 1522), same title and subject, now on the order of third reading, and report if the same are identical, and, if found identical, that said Senate bill be substituted for said Assembly bill.

The bill (No. 1982) entitled "An act to release to Margaretha Ansay all the right, title and interest of the people of the State of New York in and to certain real estate situate in the city of Buffalo, county of Erie and State of New York, acquired by escheat or otherwise, upon the death of Hyronimus Wagner" (Int. No. 1522), having been announced for a third reading,

On motion of Mr. Brooks, said bill was recommitted to the committee on revision, retaining its place on the order of third reading.

The bill (No. 2056) entitled "An act to amend the Agricultural Law, relative to appraisal of diseased animals and compensation for animals destroyed" (Int. No. 1333), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Matthews	Sheridan
Averill	Draper	Hamilton	Merritt	Shuttleworth
Baldwin	Dudley	Hammond	Miller	Sinclair
Baumann	Duell	Hamm	Mills	Smith A E
Blue	Eagleton	Harper	Mooney	Smith C
Boshart	Eggleston	Harris	Moreland	Stern
Brady	Eichhorn	Hart	Morgan	Stevenson
Brooks	Farrell	Hastings	Murphy G W	Stratton
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Voss
Burhyte	Foley C F	Hubbs	Norton	Waddell
Burns	Foley J A	Hurd	O'Brian	Wagner
Cavanaugh	Fowler	Huth	Oliver	Wainwright
Chamberlain	Francis	Jackson	Parker	Waters
Cole	Frisbie	Jacobs	Patton	Weber
Collins	Ganly	Lansing	Phillips	Weimert
Colné	Garle	Lee	Prentice	Wells
Conklin	Geoghagan	Lewis	Ralston	West

Conrady	Glore	Loos	Reece	Whitley
Croak	Glynn	Lowe	Robinson	Whitney F G
Cunningham	Goldberg	Lupton	Rogers	Whitney G H
Cuvillier	Gray	Maher	Schmidt	Winters
De Groot	Green	Mallon	Schoeneck	Wood
Dominy	Gundermann	Mance	Schulz	Yale
Donnelly	Hackett	Marlatt	Schwegler	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2139) entitled "An act to amend the Agricultural Law, relative to the exposition of products with other merchandise or stock in a place of business" (Int. No. 1331), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Matthews	Sheridan
Averill	Draper	Hamilton	Merritt	Shuttleworth
Baldwin	Dudley	Hammond	Miller	Sinclair
Baumann	Duell	Hamn	Mills	Smith A E
Blue	Eagleton	Harper	Mooney	Smith C
Boshart	Eggleston	Harris	Moreland	Stern
Brady	Eichhorn	Hart	Morgan	Stevenson
Brooks	Farrell	Hastings	Murphy G W	Stratton
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Voss
Burhyte	Foley C F	Hubbs	Norton	Waddell
Burns	Foley J A	Hurd	O'Brian	Wagner
Cavanaugh	Fowler	Huth	Oliver	Wainwright
Chamberlain	Francis	Jackson	Parker	Waters
Cole	Frisbie	Jacobs	Patton	Weber
Collins	Ganly	Lansing	Phillips	Weimert
Colné	Garbe	Lee	Prentice	Wells
Conklin	Geoghagan	Lewis	Ralston	West
Conrady	Glore	Loos	Reece	Whitley
Croak	Glynn	Lowe	Robinson	Whitney F G
Cunningham	Goldberg	Lupton	Rogers	Whitney G H
Cuvillier	Gray	Maher	Schmidt	Winters
De Groot	Green	Mallon	Schoeneck	Wood
Dominy	Gundermann	Mance	Schulz	Yale
Donnelly	Hackett	Marlatt	Schwegler	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2213) entitled "An act to amend the Labor Law, relative to inspection of mines, tunnels and quarries" (Int. No. 609), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Matthews	Sheridan
Averill	Draper	Hamilton	Merritt	Shuttleworth
Baldwin	Dudley	Hammond	Miller	Sinclair
Baumann	Duell	Hamn	Mills	Smith A E
Blue	Eagleton	Harper	Mooney	Smith C
Boshart	Eggleston	Harris	Moreland	Stern
Brady	Eichhorn	Hart	Morgan	Stevenson
Brooks	Farrell	Hastings	Murphy G W	Stratton
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Voss
Burhyte	Foley C F	Hubbs	Norton	Waddell
Burns	Foley J A	Hurd	O'Brian	Wagner
Cavanaugh	Fowler	Huth	Oliver	Wainwright
Chamberlain	Francis	Jackson	Parker	Waters
Cole	Frisbie	Jacobs	Patton	Weber
Collins	Ganly	Lansing	Phillips	Weimert
Colné	Garbe	Lee	Prentice	Wells
Conklin	Geoghagan	Lewis	Ralston	West
Conrady	Glore	Loos	Reece	Whitley
Croak	Glynn	Lowe	Robinson	Whitney F G
Cunningham	Goldberg	Lupton	Rogers	Whitney G H
Cuvillier	Gray	Maher	Schmidt	Winters
De Groot	Green	Mallon	Schoeneck	Wood
Dominy	Gundermann	Mance	Schulz	Yale
Donnelly	Hackett	Marlatt	Schwegler	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2212) entitled "An act to amend the Forest, Fish and Game Law, in relation to powers of the boards of supervisors in respect to nets, pounds and other illegal devices" (Int. No. 651), was read the third time, having been printed and upon

the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Hamilton	Merritt	Shuttleworth
Averill	Draper	Hammond	Miller	Sinclair
Baldwin	Dudley	Hamn	Mills	Smith A E
Baumann	Duell	Harper	Mooney	Smith C
Blue	Eagleton	Harris	Moreland	Stern
Boshart	Eggleston	Hart	Morgan	Stevenson
Brady	Eichhorn	Hastings	Murphy G W	Stratton
Brooks	Farrell	Hoey	Nevins	Todd
Brough	Ferguson	Holmes	Newton	Volk
Brown	Feth	Hooper	Northrup	Voss
Buckley	Fillee	Hubbs	Norton	Waddell
Burhyte	Foley C F	Hurd	O'Brian	Wagner
Burns	Foley J A	Huth	Oliver	Wainwright
Cavanaugh	Fowler	Jackson	Parker	Waters
Chamberlain	Francis	Jacobs	Patton	Weber
Cole	Frisbie	Lansing	Phillips	Weimert
Collins	Ganly	Lee	Prentice	Wells
Colné	Garbe	Lewis	Ralston	West
Conklin	Geoghagan	Loos	Reece	Whitley
Conrady	Glore	Lowe	Robinson	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Yale
Dominy	Gundermann	Marlatt	Schwegler	Young
Donnelly	Hackett	Matthews	Sheridan	

Ordered, That the Clerk deliver said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill and, as amended, have again passed the the same, and request the concurrence of the Senate therein.

The bill (No. 2216) entitled "An act to amend the Code of Civil Procedure, in relation to notice, before commitment, to witness refusing to obey subpoena" (Int. No. 1224), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 1

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Matthews	Shuttleworth
Averill	Draper	Hamilton	Merritt	Sinclair
Baldwin	Dudley	Hammond	Miller	Smith A E
Baumann	Duell	Hamn	Mills	Smith C
Blue	Eagleton	Harper	Mooney	Stern
Boshart	Eggleston	Harris	Morgan	Stevenson
Brady	Eichhorn	Hart	Murphy G. W	Stratton
Brooks	Farrell	Hastings	Nevins	Todd
Brough	Ferguson	Hoey	Newton	Volk
Brown	Feth	Holmes	Northrup	Voss
Buckley	Filley	Hooper	Norton	Waddell
Burhyte	Foley C F	Hubbs	O'Brian	Wagner
Burns	Foley J A	Hurd	Oliver	Wainwright
Cavanaugh	Fowler	Huth	Parker	Waters
Chamberlain	Francis	Jackson	Patton	Weber
Cole	Frisbie	Jacobs	Phillips	Weimert
Collins	Ganly	Lansing	Prentice	Wells
Colné	Garbe	Lee	Ralston	West
Conklin	Geoghagan	Lewis	Reece	Whitley
Conrady	Glore	Loos	Robinson	Whitney F G
Croak	Glynn	Lowe	Rogers	Whitney G H
Cunningham	Goldberg	Lupton	Schmidt	Winters
Cuvillier	Gray	Maher	Schoeneck	Wood
De Groot	Green	Mallon	Schulz	Yale
Dominy	Gunderman	Mance	Schwegler	Young
Donnelly	Hackett	Marlatt	Sheridan	

In the negative:

Moreland

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2214) entitled "An act to amend the Penal Code, in relation to interpretation of terms" (Int. No. 1434), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Matthews	Sheridan
Averill	Draper	Hamilton	Merritt	Shuttieworth
Baldwin	Dudley	Hammond	Miller	Sinclair
Baumann	Duell	Hamm	Mills	Smith A E
Blue	Eagleton	Harper	Mooney	Smith C
Boshart	Eggleston	Harris	Moreland	Stern
Brady	Eichhorn	Hart	Morgan	Stevenson
Brooks	Farrell	Hastings	Murphy G W	Stratton
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Voss
Burhyte	Foley C F	Hubbs	Norton	Waddell
Burns	Foley J A	Hurd	O'Brian	Wagner
Cavanaugh	Fowler	Huth	Oliver	Wainwright
Chamberlain	Francis	Jackson	Parker	Waters
Cole	Frisbie	Jacobs	Patton	Weber
Collins	Ganly	Lansing	Phillips	Weimert
Colné	Garbe	Lee	Prentice	Wells
Conklin	Geoghagan	Lewis	Ralston	West
Conrady	Glore	Loos	Reece	Whitley
Croak	Glynn	Lowe	Robinson	Whitney F G
Cunningham	Guldberg	Lupton	Rogers	Whitney G H
Cuvillier	Gray	Maher	Schmidt	Winters
De Groot	Green	Mallon	Schoeneck	Wood
Dominy	Gunderman	Mance	Schulz	Yale
Donnelly	Hackett	Marlatt	Schwegler	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2217) entitled "An act to amend the Code of Civil Procedure, relative to the trial of issues separately" (Int. No. 784), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Matthews	Sheridan
Averill	Draper	Hamilton	Merritt	Shuttleworth
Baldwin	Dudley	Hammond	Miller	Sinclair
Baumann	Duell	Hamm	Mills	Smith A E

Blue	Eagleton	Harper	Mooney	Smith C
Boshart	Eggleston	Harris	Moreland	Stern
Brady	Eichhorn	Hart	Morgan	Stevenson
Brooks	Farrell	Hastings	Murphy G W	Stratton
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Voos
Burhyte	Foley C F	Hubbs	Norton	Waddell
Burns	Foley J A	Hurd	O'Brial	Wagner
Cavanaugh	Fowler	Huth	Oliver	Wainwright
Chamberlain	Francis	Jackson	Parker	Waters
Cole	Frisbie	Jacobs	Patton	Weber
Collins	Ganly	Lansing	Phillips	Weimert
Colné	Garbe	Lee	Prentice	Wells
Ccnklin	Geoghagan	Lewis	Ralston	West
Conrady	Glore	Loos	Reece	Whitley
Croak	Glynn	Lowe	Robinson	Whitney F G
Cunningham	Goldberg	Lupton	Rogers	Whitney G H
Cuvillier	Gray	Maher	Schmidt	Winters
De Groot	Green	Mallon	Schoeneck	Wood
Dominy	Gunderman	Mance	Schulz	Yale
Donnelly	Hackett	Marlatt	Schwegler	Ycung

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2215) entitled "An act to amend section nine hundred and twenty-one of the Code of Civil Procedure, relative to proof of lost documentary evidence" (Int. No. 729), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Matthews	Sheridan
Averill	Draper	Hamilton	Merritt	Shuttleworth
Baldwin	Dudley	Hammond	Miller	Sinclair
Baumann	Duell	Hamn	Mills	Smith A E
Blue	Eagleton	Harper	Mooney	Smith C
Boshart	Eggleston	Harris	Moreland	Stern
Brady	Eichhorn	Hart	Morgan	Stevenson
Brooks	Farrell	Hastings	Murphy G W	Stratton
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Voss
Burhyte	Foley C F	Hubbs	Norton	Waddell

Burns	Foley J A	Hurd	O'Brian	Wagner
Cavanaugh	Fowler	Huth	Oliver	Wainwright
Chamberlain	Francis	Jackson	Parker	Waters
Cole	Frisbie	Jacobs	Patton	Weber
Collins	Ganly	Lansing	Phillips	Weimert
Colné	Garbe	Lee	Prentice	Wells
Conklin	Geoghagan	Lewis	Ralston	West
Conrady	Glore	Loos	Reece	Whitley
Croak	Glynn	Lowe	Robinson	Whitney F G
Cunningham	Goldberg	Lupton	Rogers	Whitney G H
Cuvillier	Gray	Maher	Schmidt	Winters
De Groot	Green	Mallon	Schoeneck	Wood
Dominy	Gunderman	Mance	Schulz	Yale
Donnelly	Hackett	Marlatt	Schwegler	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2211) entitled "An act to amend the Forest, Fish and Game Law, in relation to spearing fish in certain tributaries of Lake Ontario" (Int. No. 205), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Matthews	Sheridan
Averill	Draper	Hamilton	Merritt	Shuttleworth
Baldwin	Dudley	Hammond	Miller	Sinclair
Baumann	Duell	Hamn	Mills	Smith A E
Blue	Eagleton	Harper	Mooney	Smith C
Boshart	Eggleston	Harris	Moreland	Stern
Brady	Eichhorn	Hart	Morgan	Stevenson
Brooks	Farrell	Hastings	Murphy G W	Stratton
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Fillee	Hooper	Northrup	Voss
Burhyte	Foley C F	Hubbs	Norton	Waddell
Burns	Foley J A	Hurd	O'Brian	Wagner
Cavanaugh	Fowler	Huth	Oliver	Wainwright
Chamberlain	Francis	Jackson	Parker	Waters
Cole	Frisbie	Jacobs	Patton	Weber
Collins	Ganly	Lansing	Phillips	Weimert
Colné	Garbe	Lee	Prentice	Wells
Conklin	Geoghagan	Lewis	Ralston	West
Conrady	Glore	Loos	Reece	Whitley
Croak	Glynn	Lowe	Robinson	Whitney F G
Cunningham	Goldberg	Lupton	Rogers	Whitney G H

Cuvillier	Gray	Maher	Schmidt	Winters
De Groot	Green	Mallon	Schoeneck	Wood
Dominy	Gunderman	Mance	Schulz	Yale
Donnelly	Hackett	Marlatt	Schwegler	Young

Ordered, That the Clerk deliver said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill and, as amended, have again passed the same, and request the concurrence of the Senate therein.

A message from the Governor, by the hand of his secretary, was received and read, in words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, April 17, 1907.

*To the Assembly:*

I herewith return, without my approval, Assembly bill (No. 818, Senate reprint No. 1026) entitled "An act to provide for the erection and furnishing of a new courthouse in the city of Hudson for the use of the county of Columbia, and to provide means to defray the expense thereof, and to sell or dispose of the ruins of the former courthouse situate in Hudson."

The object of this bill is to take from the board of supervisors of Columbia county the power vested in it by the county law to build a new county courthouse, and to place this power with a commission named by the Legislature. The exceptional circumstances which would warrant such a departure from correct principle do not appear to exist. Public sentiment, instead of demanding it, opposes it. The people of the county, whose money is to be expended in the erection of the new courthouse, have indicated that they desire that its construction should be in charge of their duly elected representatives.

The building of a new courthouse is undoubtedly an important event, and it is fitting that there should be concern lest the work should be carried on improperly, and lest that which should be a monument of the public spirit and good judgment of the county should memorialize ignorance and extravagance. The movement which culminated in the introduction and passage of this bill had its inception with members of the bar, and derived its force from the fear that the interests of the people would not be safeguarded by the board of supervisors, and that the serious errors which had been committed in connection with the building of the courthouse recently destroyed might be repeated.

The present board of supervisors is not responsible for the action of a prior board, and is apparently alive to its duty and is pro-

ceeding with competent assistance in the direction of the work committed to it by law. It has been shown to me by evidence, which in the absence of suitable contradiction must be accepted, that the people of the county have confidence in the present board, and there is no apparent ground upon which this matter, which normally belongs with the board of supervisors, should be taken, against the wishes of their constituents, out of their hands.

CHARLES E. HUGHES.

On motion of Mr. Sinclair, said bill and message were ordered laid upon the table.

A message from the Governor, by the hand of his secretary, was received and read, in words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, *April 17, 1907.*

*To the Assembly:*

I herewith return, without my approval, Assembly bill (No. 1122) entitled "An act in relation to employees in the Queens county jail, and fixing their compensation."

The bill authorizes the sheriff of Queens county to appoint three additional keepers and two deputy wardens for the county jail. It also fixes the salaries of these and the other employees in the jail. As to the necessity of increasing the force in the jail, and as to the propriety of the proposed salaries I make no comment.

I disapprove the bill because I regard it as important, that matters of this sort should be placed in the control of the appropriate local authorities. A large number of bills have been introduced providing for new positions and increases of salaries in various local offices of political subdivisions of the State, and I am convinced that the policy should be established of giving to the local authorities adequate power to deal with such matters. Whether there should be an additional jailor in one county, or the salary of a clerk or copyist in another county should be increased, is a purely local matter. Local needs can best be determined by the boards which have been chosen to administer local affairs, and the expenditure of the moneys raised by taxation for local purposes should be under their control. In the counties of the State, outside of Greater New York, there are boards of supervisors to whom such matters should be committed; and if any amendment is needed to the general law defining their powers it should be supplied so that special legislation with regard to particular communities shall be rendered unnecessary. By the Greater New

York charter it is provided, that the salaries of all county officers in the counties of New York, Kings, Queens and Richmond, shall, unless otherwise provided by law, be fixed by the board of aldermen on the recommendation of the board of estimate and apportionment. The creation of additional position, wherever necessary, in the administrative departments of county government, and the matter of salaries of subordinate employees, should be in the control of the proper local authority, and suitable amendments to the charter may be made in order to accomplish this result.

What has been said of county officers is also true of city and village officers. The proper authorities of the city or village should have sufficient power under general provisions of law to fix the salaries of subordinate city and village officers and employees, and to create such additional minor positions as may be needed.

CHARLES E. HUGHES.

On motion of Mr. Garbe, said bill and message were ordered laid upon the table.

Mr. Cuvillier moved to reconsider the vote by which Assembly bill (No. 968, Int. No. 867) was recommitted to the committee on railroads.

Mr. Oliver moved to lay said motion of Mr. Cuvillier upon the table.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Oliver, and it was determined in the affirmative.

AYES 81

NOES 41

Those who voted in the affirmative were:

Allen	Draper	Hamn	Murphy G W	Staley
Apgar	Dudley	Harris	Nevins	Stanton
Averill	Duell	Hooper	Newton	Stevenson
Blue	Eggleston	Hubbs	O'Brian	Volk
Boshart	Ferguson	Lansing	Oliver	Voss
Brady	Filley	Lewis	Patton	Waddell
Brooks	Fowler	Lupton	Phillips	Wainwright
Burhyte	Francis	Maher	Prentice	Waters
Burns	Frisbie	Mance	Ralston	Weber
Chamberlain	Glore	Marlatt	Reece	Weimert
Cole	Gray	Matthews	Robinson	West
Colné	Green	Merritt	Rogers	Whitley
Conklin	Gunderman	Miller	Schoeneck	Whitney F G
Conrady	Haines	Mills	Sinclair	Whitney G H
Cunningham	Hamilton	Moreland	Smith A E	Winters
De Groot	Hammond	Morgan	Smith C	Wood
Dominy				

Those who voted in the negative were:

Baumann	Eagleton	Garbe	Huth	Prince
Bohan	Eichhorn	Geoghagan	Jacobs	Schulz
Buckley	Farrell	Glynn	Keller	Schweg'ler
Cavanaugh	Fay	Goldberg	Loos	Sheridan
Collins	Flanagan	Hackett	Mallon	Stern
Croak;	Foley C F	Harper	McCue	Todd
Cuvill er	Foley J A	Hoey	Mooney	Wagner
Dobbs	Ganly	Holmes	Northrup	Walters
Donnelly				

Mr. Baldwin offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 1132, Int. No. 638) entitled "An act to amend the Railroad Law, relative to motive power of street surface railroads in certain counties," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the bill (No. 868, Int. 803) entitled "An act making an appropriation and reappropriation for the improvement of the canals."

Also, the bill (No. 2145, Int. No. 1610) entitled "An act to amend the Liquor Tax Law, in relation to State Commissioner of Excise; Deputy Commissioners; Special Deputy Commissioners; excise taxes; liquor tax certificates and local option," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 1132, Int. No. 638) entitled "An act to amend the Railroad Law relative to motive power of street surface railroads in certain counties," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

Pursuant to notice, Mr. Winters called up the bill (No. 1997) entitled "An act to amend the Code of Criminal Procedure, in relation to what persons are vagrants" (Int. No. 33). Debate was had thereon.

The hour of two o'clock p. m. having arrived, Mr. Speaker declared the House adjourned.

## THURSDAY, APRIL 18, 1907.

The House met pursuant to adjournment.

Prayer by Rev. William S. Morgan.

On motion of Mr. Rogers, the reading of the journal of yesterday was dispensed with, and the same was approved.

The Senate sent for concurrence the following entitled bills:

“An act to provide for preserving the waters of the Bronx river from pollution; creating a reservation of the lands on either side of the river; authorizing the taking of lands for that purpose and providing for the payment thereof, and appointing a commission to carry out the purposes of the act (No. 1224, Rec. No. 263), which was read the first time and referred to the committee on affairs of cities.

“An act to amend chapter seven of the Laws of nineteen hundred and four, entitled ‘An act to revise, amend and consolidate the several acts relating to the village of Norwich, and to repeal certain acts and parts of acts,’ in relation to the paid police force” (No. 1219, Rec. No. 264), which was read the first time and referred to the committee on affairs of villages.

“An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled ‘An act to revise the charter of the city of Buffalo,’ in relation to the police pension fund of the city of Buffalo” (No. 1273, Rec. No. 265), which was read the first time and referred to the committee on affairs of cities.

“An act to regulate transfers of goods in bulk” (No. 619, Rec. No. 266), which was read the first time and referred to the committee on general laws.

“An act to amend the Tax Law in relation to the definition of ‘land,’ ‘real estate’ and ‘real property’” (No. 1057, Rec. No. 267), which was read the first time and referred to the committee on taxation and retrenchment.

“An act to amend the Code of Civil Procedure, relative to appointment of stenographers in certain counties” (No. 1138, Rec. No. 268), which was read the first time and referred to the committee on codes.

"An act to amend chapter six hundred and seventeen of the Laws of eighteen hundred and sixty-eight, entitled 'An act to incorporate the Round Lake Camp Meeting Association of the Methodist Episcopal Church of the Troy Conference,' generally" (No. 1223, Rec. No. 269), which was read the first time.

On motion of Mr. G. H. Whitney, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. G. H. Whitney, and by unanimous consent, said bill read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colne	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Gray introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for wild fowl on the St. Lawrence river" (Int. No. 1712), which was read the first time and referred to the committee on fisheries and game.

Mr. Haines introduced a bill entitled "An act to amend chapter four hundred and seventy-three of the Laws of nineteen hundred and six with relation to salaries of officers in second class cities" (Int. No. 1713), which was read the first time and referred to the committee on affairs of cities.

Mr. Hamn introduced a bill entitled "An act to legalize and confirm the certificate of incorporation and the incorporation of The Corning, Keuka Lake and Ontario Railway Company and the proceedings taken and had under or in pursuance of said certificate" (Int. No. 1714), which was read the first time and referred to the committee on railroads.

Mr. Haines introduced a bill entitled "An act to amend the Code of Civil Procedure, relative to the clerk and deputy clerk of a surrogate's court" (Int. No. 1715), which was read the first time and referred to the committee on codes.

Mr. Hooper introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to the transportation of the carcasses and venison of domesticated deer" (Int. No. 1716), which was read the first time and referred to the committee on fisheries and game.

Mr. Loos introduced a bill entitled "An act authorizing the board of commissioners of the sinking fund in the city of New York to cancel and annul certain unpaid taxes upon the real estate, in said city, belonging to the Friendly Aid Society" (Int. No. 1717), which was read the first time.

On motion of Mr. Loos, and by unanimous consent, said bill was read the second time and ordered to third reading and referred to the committee on affairs of cities.

Mr. McCue introduced a bill entitled "An act to amend the Penal Code, in relation to carrying concealed weapons" (Int. No. 1718), which was read the first time.

On motion of Mr. McCue, and by unanimous consent, said bill was read the second time and ordered to third reading and referred to the committee on codes.

Mr. Mills, by request, introduced a bill entitled "An act to amend the Public Health Law, in relation to local health officers" (Int. No. 1719), which was read the first time and referred to the committee on public health.

Also, "An act to amend section one hundred and ninety-three of chapter two hundred and seventy-five of the Laws of eighteen hundred and ninety-nine, entitled 'An act to revise the charter of the city of Gloversville,' in relation to the purchase of school sites, and the erection and enlargement of school buildings; tax elections; the borrowing of money and issue and sale of bonds" (Int. No. 1720), which was read the first time and referred to the committee on affairs of cities.

Mr. O'Brian introduced a bill entitled "An act to amend the Insurance Law relating to permitting the incorporation of beneficiary societies, orders or associations or persons in the service of the same employer, for the purpose of furnishing relief to members in case of sickness, disability or death" (Int. No. 1721), which was read the first time and referred to the committee on insurance.

Mr. Sheridan introduced a bill entitled "An act empowering the sinking fund commission of the city of New York to vacate and cancel certain assessments for public improvements upon the real property of the Church of Saint Nicholas Tolentine of the borough of the Bronx" (Int. No. 1722), which was read the first time and referred to the committee on affairs of cities.

Mr. Wainwright introduced a bill entitled "An act to amend the Village Law, relative to acquisition of lands for parks and squares" (Int. No. 1723), which was read the first time and referred to the committee on affairs of villages.

Mr. Young introduced a bill entitled "An act to repeal chapter nine hundred and twenty-seven of the Laws of eighteen hundred and ninety-five, relative to the naturalization of aliens in the courts of this State" (Int. No. 1724), which was read the first time and referred to the committee on the judiciary.

Mr. Duell introduced a bill entitled "An act relative to the introduction of evidence in criminal actions wherein the issue of insanity is involved" (Int. No. 1725), which was read the first time and referred to the committee on codes.

Mr. Feth introduced a bill entitled "An act to amend the Greater New York charter, relative to setting apart piers for recreation" (Int. No. 1726), which was read the first time and referred to the committee on affairs of cities.

Mr. Ferguson introduced a bill entitled "An act to amend chapter five hundred and sixty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to incorporate the city of Little Falls,' relative to laying out, widening, altering or straightening streets, highways, alleys, lanes or public grounds" (Int. No. 1727), which was read the first time and referred to the committee on affairs of cities.

Mr. DeGroot, by request, introduced a bill entitled "An act to amend the Greater New York charter in relation to the placing of electrical conductors under ground" (Int. No. 1728), which was read the first time and referred to the committee on affairs of cities.

Mr. Rogers introduced a bill entitled "An act to provide for refunding certain taxes erroneously paid into the treasury of the State by certain foreign life insurance companies domiciled in the State of Connecticut" (Int. No. 1729), which was read the first time and referred to the committee on ways and means.

Mr. Draper introduced a bill entitled "An act to amend the County Law, relative to the compensation of supervisors in Niagara county" (Int. No. 1730), which was read the first time and referred to the committee on internal affairs.

Mr. Prentice introduced a bill entitled "An act to amend the Greater New York charter, in relation to the police department of the city of New York" (Int. No. 1731), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Baldwin introduced a bill entitled "An act relative to ordinances relating to the disposition of franchises in the city of Syracuse" (Int. No. 1732), which was read the first time.

On motion of Mr. Baldwin, and by unanimous consent, said bill was read the second time and ordered to third reading and referred to the committee on affairs of cities.

By unanimous consent, Mr. Hart introduced a bill entitled "An act to amend chapter one hundred and eighty-eight of the Laws of nineteen hundred and six, entitled 'An act to authorize the city of Utica to construct a general system of storm water drainage, and to borrow money to pay for the same,' relative to the rate of interest to be paid on bonds" (Int. No. 1733), which was read the first time.

On motion of Mr. Hart, and by unanimous consent, said bill was read the second time and ordered to third reading and referred to the committee on affairs of cities.

Also, by unanimous consent, "An act to amend chapter one hundred and thirty-one of the Laws of nineteen hundred and seven, entitled 'An act to authorize the city of Utica to borrow money and issue bonds for the purpose of completing the changing of the channel of the Mohawk river between said city and the town of Deerfield, and to authorize the Superintendent of Public Works to accept said new channel,' relative to the rate of interest to be paid on bonds" (Int. No. 1734), which was read the first time.

On motion of Mr. Hart, and by unanimous consent, said bill was read the second time and ordered to third reading and referred to the committee on affairs of cities.

By unanimous consent, Mr. Merritt introduced a bill entitled "An act to amend the Legislative Law, generally" (Int. No. 1735), which was read the first time.

On motion of Mr. Merritt, and by unanimous consent, said bill was read the second time and ordered to third reading and referred to the committee on ways and means.

By unanimous consent, Mr. Duell introduced a bill entitled "An act in relation to the competency of evidence in criminal actions where insanity of the defendant is at issue" (Int. No. 1736), which was read the first time and referred to the committee on codes.

By unanimous consent, Mr. Hammond introduced a bill entitled "An act to amend the Penal Code, in relation to enticing

inmates from certain State institutions" (Int. No. 1737), which was read the first time and referred to the committee on codes.

By unanimous consent, Mr. Apgar introduced a bill entitled "An act to validate a special election of the village of Briarcliff Manor, authorizing the borrowing of money, issue of bonds, and acquisition and management of certain property" (Int. No. 1738), which was read the first time.

On motion of Mr. Apgar, and by unanimous consent, said bill was read the second time and ordered to third reading and referred to the committee on affairs of villages.

By unanimous consent, Mr. Haines introduced a bill entitled "An act to amend chapter four hundred and seventy-nine of the Laws of nineteen hundred and three, entitled 'An act for the improvement and repair of streets and roads in Yonkers that have existed as public streets for twenty years, and to issue bonds for the payment thereof'" (Int. No. 1739), which was read the first time and referred to the committee on affairs of cities.

Mr. Moreland, from the committee on ways and means, to which was referred Senate bill introduced by Mr. Owens (No. 693, Rec. No. 126), entitled "An act to amend chapter seven hundred and eighteen of the Laws of nineteen hundred and four, entitled 'An act authorizing the selection of lands as a site for the New York State Training School for Boys, and establishing the said school,' as amended by chapter one hundred and thirty-three of the Laws of nineteen hundred and five and by chapter six hundred and seventeen of the Laws of nineteen hundred and six, in relation to the grant by the Commissioners of the Land Office to the city of New York of the sunken meadow in East river adjacent to Randall's Island and of the land under water surrounding the same to the bulk-head line," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading..

Mr. Mead, from the committee on the judiciary, to which was referred Assembly bill introduced by Mr. Rogers (No. 1776, Int. No. 1395), entitled "An act to amend chapter fourteen of the Laws of eighteen hundred and eighty, entitled 'An act to further amend chapter one hundred and forty-three of the Laws of eighteen hundred and sixty-one, entitled "An act to amend and

consolidate the several acts in relation to the charter of the city of Rochester," and to consolidate therewith the several acts in relation to the charter of said city. ' "

Also, Assembly bill introduced by Mr. Rogers (No. 1775, Int. No. 1394), entitled "An act to repeal sections three hundred and eighty-four-b and three hundred and eighty-four-c of chapter one hundred and five of the Laws of the year eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter six hundred and twenty-seven of the Laws of the year nineteen hundred and one, in relation to the police justice."

Also, Assembly bill introduced by Mr. Rogers (No. 1774, Int. No. 1393), entitled "An act to authorize the board of estimate and apportionment of the city of New York to hear, determine, audit and allow claims of certain persons for services as probation officers in the city of New York and directing the comptroller to pay such claims as may be allowed for such services by said board."

Also, Assembly bill introduced by Mr. Rogers (No. 1773, Int. No. 1391), entitled "An act to amend section two hundred and ninety-one of the Penal Code of the State of New York."

Also, Assembly bill introduced by Mr. Rogers (No. 1772, Int. No. 1390), entitled "An act to amend the Code of Criminal Procedure relative to the appointment of probationary officers, and defining their duties, and with relation to criminal statistics."

Also, Assembly bill introduced by Mr. Rogers (No. 1789, Int. No. 1392), entitled "An act to amend the Greater New York charter, relative to the commitment of persons convicted of public intoxication, disorderly conduct and vagrancy," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Mead, from the committee on the judiciary, to which was referred Assembly bill (No. 1771, Int. No. 1389) introduced by Mr. Rogers, entitled "An act in relation to probation in the State of New York, constituting chapter fifty-two of the general laws," reported in favor of the passage of the same, with the following amendments:

Page 1, line 1, above the title "probation law" insert the words "chapter fifty-two".

Page 1, line 2, strike out the words "sections one to four".

Page 1, lines 3 and 4, strike out the words "sections eight to seventeen".

Page 1, lines 5 and 6, strike out the words "sections twenty to twenty-four".

Page 1, line 8, strike out the words "sections twenty-nine to thirty-six".

Page 1, lines 9 and 10, strike out the words "sections forty-one to forty-six".

Page 4, line 13, after the word "officer" strike out the period and insert the words "and for this purpose,".

Page 4, line 14, strike out the word "The" and insert the word "the".

Page 5, line 22, after the word "by" insert the word "the".

Page 5, line 23, strike out the syllable "sions" and insert the syllable "sion" and insert thereafter the words "in the city of New York".

Page 6, line 1, strike out all after the word "New York" and strike out all of line two.

Page 6, line 3, after the word "city" insert a comma.

Page 6, line 4, strike out the word "salary" and insert the word "salaries".

Page 7, line 6, strike out the words "children's courts" and insert the words "as hereinafter otherwise provided".

Page 7, strike out beginning with the word "in" in line 6 to and including the word "year" in line 11, and insert in lieu thereof the following: "Any court or magistrate in any city of the second class which shall have appointed a probation officer or officers at the time this act shall take effect, or which shall thereafter appoint a probation officer or officers under the provisions of section nine of this act, may in its discretion place either adults or juveniles or both under the supervision of any such officer or officers; and no probation officer hereafter appointed by a county judge shall serve in any court in which a probation officer or officers shall have been so appointed, unless at the request of such court or magistrate."

Page 7, line 11, strike out all after the word "counties".

Page 7, line 12, strike out all to and including the word "thousand".

Page 7, line 13, after the word "officers" insert the words "appointed by him or by his predecessor in office".

Page 7, line 15, strike out all after the word "supervisors" and strike out line 16.

Page 8, line 7, after the words "children's court" insert ", or authorized to hold a children's court".

Page 8, line 15, strike out the words "county judge".

Page 8, line 16, strike out the words "or magistrate holding a children's court" and after the word "them" insert the words "and may be removed by the municipal commission or court appointing them".

Page 8, strike out all of section 16.

Page 9, change section 17 to section 16.

Page 9, line 4, after word "commission" insert the words "and the municipal commission in the city of New York may remove any probation officer for adults in said city,".

Page 10, line 15, strike out all after the word "officer" and insert the words "for adults in the city of New York".

Page 10, line 16, strike out the words "ipal commission" and strike out the word "said" and insert in lieu thereof the words "the municipal".

Page 10, line 17, after the syllable "sion" insert the words "of said city".

Page 10, line 22, after the word "commission" insert the words "or court".

Page 10, line 26, after the word "commission" insert the words "or court".

Page 11, line 14, strike out the words "state commission" and insert the words "court by which such person was placed on probation" and strike out the word "commission" and insert the word "court".

Page 11, line 18, after the word "and" insert the words "if the facts are so reported".

Page 14, line 9, strike out the words "united Hebrew charities" and insert the words "Jewish protectory and aid society".

Page 15, line 12, strike out all after the word "salary" and insert in lieu thereof the words "to be fixed by the proper authorities of said city".

Page 15, line 13, strike all to and including the word "year".

Page 15, line 25, strike out the words "of officers" and insert the words "or officer".

Page 16, line 20, after the word "officers" insert the words "for adults".

Page 17, line 5, strike out the word "proceeding" and insert the word "preceding".

Page 18, line 26, strike out all after the word "act".

Page 19, strike out lines 1 and 2 and line 3 to and including the word "act".

Page 19, line 4, strike out the word "may," first occurring, and insert the words "shall continue to".

Page 19, line 26, after the word "probation" insert the word "of".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Mead, from the committee on the judiciary, to which was referred Assembly bill introduced by Mr. Prentice (No. 2185, Int. No. 1630), entitled "An act to amend the Primary Election Law, generally," reported in favor of the passage of the following substitute bill:

(See Appendix No. 30.)

and request that said substitute bill be recommitted to said committee, which report was agreed to, and said substitute bill ordered reprinted and recommitted to said committee.

Mr. Dowling, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Haines (No. 2158, Int. No. 1599), entitled "An act to establish a pension fund for the paid fire department of the city of Yonkers."

Also, Assembly bill introduced by Mr. Duell (No. 2172, Int. No. 1614), entitled "An act to provide for the widening of West First street, otherwise known as West Lincoln avenue, in the city of Mount Vernon, from South Eleventh avenue in said city, to the New York city line, and providing for the expense of said improvement."

Also, Assembly bill introduced by Mr. C. F. Murphy (No. 1986, Int. No. 1526), entitled "An act to authorize the city of New York to acquire lands on Prospect Heights in the borough of Brooklyn as sites for public buildings."

Also, Assembly bill introduced by Mr. Haines (No. 1940, Int. No. 1488), entitled "An act to fix and determine salaries of the city treasurer and city comptroller in the city of Yonkers."

Also, Assembly bill introduced by Mr. Newton (No. 1813, Int. No. 1423), entitled "An act to establish and maintain a water department in and for the city of Cortland."

Also, Assembly bill introduced by Mr. Lee (No. 1704, Int. No. 1346), entitled "An act in relation to avenue F in the borough of Brooklyn."

Also, Assembly bill introduced by Mr. Wells (No. 1780, Int. No. 1400), entitled "An act to amend the Greater New York charter, relative to the department of docks and ferries."

Also, Assembly bill introduced by Mr. Duell (No. 2296, Int. No. 1671), entitled "An act to amend the charter of the city of New Rochelle, in relation to the salary of the clerk of the board of education."

Also, Assembly bill introduced by Mr. Croak (No. 2195, Int. No. 1615), entitled "An act to amend section one thousand one hundred and one of the Greater New York charter, relative to the appointment of teachers in the public schools."

Also, Assembly bill introduced by Mr. Haines (No. 2156, Int. No. 1597), entitled "An act to authorize the common council of the city of Yonkers to establish sewage disposal plants in the seventh ward, as now established, in the city of Yonkers, and to empower the common council of said city to raise the necessary funds therefor," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Dowling, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Cullen (No. 730, Rec. No. 216), entitled "An act to amend the Greater New York charter, relative to the salary of the commissioner of docks and the deputy commissioner of docks," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of third reading.

Mr. Dowling, from the committee on affairs of cities, to which was recommitted Assembly bill introduced by Mr. Dobbs (No. 1585, Int. No. 1057), entitled "An act to amend the Greater New York charter, in relation to police matrons."

Also, Assembly bill introduced by Mr. O'Brian (No. 2034, Int. No. 926), entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' relative to ward boundaries, composition, election and powers of the common council, and the election of supervisors."

Also, Assembly bill introduced by Mr. Frisbie (No. 2313, Int. No. 1519), entitled "An act to provide for the government and to supplement the provisions of law relating to the city of Schenectady," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills ordered placed on the order of second reading.

Mr. Dowling, from the committee on affairs of cities, to which was referred Assembly bill (No. 2086, Int. No. 1573) introduced by Mr. Wells, entitled "An act to authorize the board of assessors of the city of New York, to revise and reduce the assessments for the construction, completion and extension of the sewer system of the former village of Williamsbridge, and to authorize the collector of assessments and arrears in said city of New York to refund such portion of the assessment as may be reduced, and authorizing a certiorari by the Supreme Court to review or correct said assessment," reported in favor of the passage of the same, with the following amendments:

In the 4th and 5th lines of the title to the bill, strike out the phrase "collector of assessments and arrears" and insert the word "comptroller".

In the 23d line, page 2, strike out the phrase "collector of assessments and arrears" and insert the word "comptroller".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Dowling, from the committee on affairs of cities, to which was recommitted Assembly bill introduced by Mr. Conrady (No. 1653, Int. No. 569), entitled "An act to amend the Greater New York charter, in relation to the terms of appointment of clerks and assistant clerks of the Municipal Court," reported in favor of the passage of the same, with the following amendment:

Page 3, line 25, strike out the brackets and the words "twelve hundred".

which report was agreed to, and said bill ordered reprinted and placed on the order of second reading.

Mr. Dowling, from the committee on affairs of cities, to which was recommitted Assembly bill introduced by Mr. C. F. Foley (No. 2095, Int. No. 969), entitled "An act to revise the charter of the city of North Tonawanda," retaining its place on the order of second reading, reported in favor of the passage of the same, with the following amendment:

Page 93, line 2, strike out "eight" and insert "ten".

which report was agreed to, and said bill ordered reprinted and restored to its place on the order of second reading.

Mr. Dowling, from the committee on affairs of cities, to which was recommitted Assembly bill introduced by Mr. Staley (No. 1431, Int. No. 1186), entitled "An act to provide for the repaving or resurfacing of East Main street and Market street, in the city of Amsterdam, and to provide for meeting the expense thereof," retaining its place on the order of second reading, reported in favor of the passage of the same, with the following amendments:

Strike out on lines 4 and 5, page 1, the words "in such manner and with such material as the said common council may determine" and insert in place thereof the words "with brick". At the end of line 8, page 2, insert "East Main street and Market street are each to be repaved with brick, with a new concrete foundation on East Main street, and on a repaired concrete foundation on Market street, the entire expense thereof, exclusive of the railroad strip, is not to exceed the sum of fifty-six thousand dollars (\$56,000). Said common council shall have no power or authority to incur any liability hereunder in excess of the amount above stated, exclusive of interest."

Line 24, page 4, strike out the word "four" and insert "two".

Line 26, page 4, strike out the word "ten" and insert the word "six".

Line 5, page 5, strike out the word "four" and insert the word "two".

After the word "thereon", line 5, page 5, insert "At any time before the expiration of the month wherein said taxes or assessments are payable without fees any person against whom such tax or assessment stands levied and charged may file a written statement with the said treasurer that such person elects to pay said taxes or assessments in three equal annual installments with interest on all unpaid portion at six per centum per annum. The first installment shall be due and payable at the same time and with the same fees as the entire tax or assessment would have been due and payable had said statement not been filed. The other two installments shall be due and payable one and two years thereafter respectively, with interest."

Line 6, page 5, insert after the word "notice" the words "If no statement is filed by the person against whom said tax is assessed."

Page 6, lines 7, 8 and 9, strike out the words "and upon all the real estate in said city of the person taxed or assessed and the person who ought to pay such taxes or assessment."

which report was agreed to, and said bill ordered reprinted and restored to its place on the order of second reading.

Mr. Dowling, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Todd (No. 1945, Int. No. 1493), entitled "An act to enable the commissioner of docks of the city of New York to construct a wharf or pier at the foot of Nott avenue, in the first ward of the borough of Queens, for the purpose of a public dock and recreation pier," reported the same with the following amendments:

Page 1, line 1, strike out the words "commissioner of docks" and insert in place thereof "board of estimate and apportionment".

Page 1, line 2, strike out the word "his" and insert "its".

Page 1, line 3, after the word and comma "effect" insert the following "direct and require the commissioner of docks of such city to".

Amend the title by striking out the first line of such title and inserting in place of the matter thus stricken out the following: "An act to empower the board of estimate and apportionment of the city of New York to cause the commissioner of docks of such city".

and request that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Dowling, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Hackett (No. 444, Int. No. 435), entitled "An act to amend the Greater New York charter, relative to the department of street cleaning," reported the same with the following amendment:

Page 5, lines 1 and 2, strike out the words "if deemed best by the commissioner of said department".

and request that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Dowling, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Francis (No. 2155, Int. No. 1596), entitled "An act to authorize the police commissioner of the city of New York to inquire into the alleged disability of Edward J. Bermingham, a patrolman, due to injuries received while on duty, and to retire the said Bermingham under full pay," reported the same with the following amendment:

Page 1, line 2, after the word "empowered" insert "in his discretion".

and request that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Dowling, from the committee on affairs of cities, to which was recommitted Assembly bill introduced by Mr. Cuvillier (No. 2274, Int. No. 456), entitled "An act to amend section eight hundred and fifty-nine of the Greater New York charter, relative to wharfage rates on harbor lighters and other vessels at the port of New York," reported the following substitute bill

(See Appendix No. 27.)

and request that said substitute bill be recommitted to said committee, which report was agreed to, and said substitute bill ordered reprinted and recommitted to said committee.

Mr. Dowling, from the committee on affairs of cities, to which was recommitted Assembly bill introduced by Mr. Todd (No. 1925, Int. No. 654), entitled "An act to require the commissioner of docks of the city of New York to acquire a wharf at the foot of Eighth street, in the first ward of the borough of Queens, for the purpose of a public dock," retaining its place on the order of second reading, reported the same with the following amendments:

Page 1, line 1, insert a comma at the end of such line.

Page 1, strike out the whole of line 2 and the words "in his discretion" in line 3 and insert in place of the matter thus stricken out, the following: "if the board of estimate and apportionment of such city, in its discretion, directs him so to do by a resolution duly adopted, shall".

Page 1, line 3, after the word "effect" and before the ensuing comma insert "and after the adoption of such resolution".

Amend the title by inserting after the word "New York" at the end of line 1 of such title and before the word "to" at the beginning of line 2, the following: ", when directed so to do by the board of estimate and apportionment of such city".

and request that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Dowling, from the committee on affairs of cities, to which was referred Senate bill introduced by Mr. Grattan (No. 949,

Rec. No. 248), entitled "An act to authorize the city of Cohoes to borrow money therefor and to construct a bridge over the first branch of the Mohawk river, at Ontario street in said city."

Also, Senate bill introduced by Mr. Hill (No. 1027, Rec. No. 191), entitled "An act to amend section one hundred and forty-two of chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter seven hundred and seven of the Laws of nineteen hundred, in relation to divisions of taxes and assessments."

Also, Senate bill introduced by Mr. Sullivan (No. 1050, Rec. No. 219), entitled "An act authorizing the board of estimate and apportionment of the city of New York in its discretion to direct that the cost and expense of opening, widening or extending streets in said city for the purpose of using such streets as an approach to bridges connecting the various boroughs of said city, shall be borne and paid by the city of New York."

Also, Senate bill introduced by Mr. Grady (No. 964, Rec. No. 217), entitled "An act to amend the Greater New York charter, relative to the protection of the grounds and properties of educational institutions."

Also, Senate bill introduced by Mr. Taylor (No. 913, Rec. No. 177), entitled "An act to amend chapter five hundred and seventy-two of the laws of nineteen hundred and two, entitled 'An act to revise and amend an act to incorporate the city of Middletown and the acts amendatory thereof,' generally."

Also, Senate bill introduced by Mr. Agnew (No. 910, Rec. No. 213), entitled "An act to authorize the board of estimate and apportionment of the city of New York in its discretion to examine, audit and allow the balance of certain claims for reimbursement and compensation for expenditures made because of damages alleged to have been suffered by reason of the changes made in the grades of certain streets pursuant to a resolution of the board of aldermen, remaining unpaid after the payment of a part of said claims authorized to be allowed by chapter five hundred and ninety-nine of the Laws of nineteen hundred and six."

Also, Senate bill introduced by Mr. Ackroyd (No. 675, Rec. No. 188), entitled "An act to authorize the city of Utica and the

various departments thereof, to make up and levy a tax budget during the year nineteen hundred and seven."

Also, Senate bill introduced by Mr. Agnew (No. 659, Rec. No. 224), entitled "An act to amend the Greater New York charter, relative to the art commission."

Also, Senate bill introduced by Mr. McCarren (No. 429, Rec. No. 218), entitled "An act to empower the board of assessors of the city of New York to estimate and allow damages sustained by owners of real property abutting upon Manhattan avenue adjacent to Newtown creek, borough of Brooklyn in the city of New York by reason of the construction of the bridge over Newtown creek, between Manhattan avenue in the borough of Brooklyn, and Vernon avenue in the borough of Queens, and the approaches thereto."

Also, Senate bill introduced by Mr. Hill (No. 316, Rec. No. 24), entitled "An act to transfer a part of Niagara street in the city of Buffalo to the control and jurisdiction of the board of park commissioners of said city," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Dowling, from the committee on affairs of cities, to which was referred Senate bill (No. 864, Rec. No. 168) introduced by Mr. Hill, entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter two hundred and twenty-eight of the Laws of nineteen hundred and one, relating to the repairing of private docks in the city of Buffalo," reported in favor of the passage of the same, the following amendments:

Page 1, line 8, beginning with the word "and" strike out all down to and including the word "works" in line 10, page 2, and insert in place thereof the following: "and to regulate the maintenance and repairing of sheathing, sheet piling, wharves, and piers situated on public waters and belonging to persons and corporations other than the city, in so far as it is necessary to maintain or repair the same to prevent the obstruction of such public waters and to preserve the banks thereof; and the common council shall have power to cause any sheathing, sheet piling, wharf and pier situated on public waters to be built, altered,

repaired or rebuilt, and to regulate and direct the building, altering, repairing or rebuilding of the same, in so far as it is necessary to build, repair, alter or rebuild the same to prevent the obstruction of such public waters and to preserve the banks thereof; and to cause the expense thereof to be assessed upon the real estate benefited thereby, in the same manner as is by this act provided for the making and collecting of other local assessments, the work provided for herein to be done under the supervision and control of the commissioner of public works”.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Dowling, from the committee on affairs of cities, to which was referred Senate bill (No. 1149, Rec. No. 222) introduced by Mr. Hasenflug, entitled “An act to amend the Greater New York charter, by providing for additional city magistrates, and for additional police clerks, assistant clerks, stenographers and interpreters for city magistrates’ courts, in the second division of the city of New York,” reported in favor of the passage of the same, with the following amendments:

Page 10, line 6, strike out the word “open” and insert in place thereof the words “in session”.

Page 11, line 7, strike out the word “one” and insert after the word “clerk” on same line the letter “s”.

Page 11, line 7, strike out the word “two”.

Page 11, line 8, after the word “stenographer” put the letter “s”.

Page 11, line 8, strike out the letter “a”.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Rogers, from the committee on insurance, to which was referred Assembly bill introduced by Mr. Moreland (No. 1989, Int. No. 1529), entitled “An act to amend the Insurance Law to permit mutual fire insurance companies or associations of other States to do business within this State; to regulate the business done by them; to tax the same; and to prohibit the insuring of property located in this State in unauthorized companies.”

Also, Assembly bill introduced by Mr. Allen (No. 1760, Int. No. 1378), entitled “An act to amend the Insurance Law, relative to exception of the Fraternal Order of the Scandinavian Brotherhood of America from certain of its provisions.”

Also, Assembly bill introduced by Mr. A. E. Smith (No. 479, Int. No. 466), entitled "An act to prevent fire insurance companies entering into or maintaining pools, trusts, conspiracies or agreements to control rates of insurance," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Rogers, from the committee on insurance, to which was referred Senate bill introduced by Mr. Tully (No. 895, Rec. No. 221), entitled "An act to amend section thirty-one of the Insurance Law, relative to the filing and publication of statements."

Also, Senate bill introduced by Mr. Hill (No. 1140, Rec. No. 237), entitled "An act to amend section two hundred and one of the Insurance Law in relation to the designation of beneficiaries," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. F. G. Whitney, from the committee on excise, to which was referred Assembly bill introduced by Mr. F. G. Whitney (No. 2109, Int. No. 1584), entitled "An act to amend the Liquor Tax Law, in relation to places in which traffic in liquor shall not be permitted."

Also, Assembly bill introduced by Mr. Ralston (No. 2290, Int. No. 1664), entitled "An act to amend the Liquor Tax Law, in relation to places in which the traffic in liquor shall not be permitted."

Also, Assembly bill introduced by Mr. F. G. Whitney (No. 2110, Int. No. 1585), entitled "An act to amend chapter nine hundred of the Laws of eighteen hundred and ninety-six, entitled "An act authorizing the sale of ale and beer upon the premises of the New York State Soldiers' and Sailors' home, of Bath, New York, and providing for the expenditure of the net proceeds therefrom."

Also, Assembly bill introduced by Mr. F. G. Whitney (No. 2028, Int. No. 1553), entitled "An act to amend the Liquor Tax Law, in relation to violations and penalties, jurisdiction of courts and reports of magistrates, and fees of sheriffs."

Also, Assembly bill introduced by Mr. Stevenson (No. 1240, Int. No. 1069), entitled "An act to amend 'An act in relation

to the traffic in liquors, and for the taxation and regulation of the same, and to provide for local option, constituting chapter twenty-nine of the general laws,' relative to the recovery of civil damages by reason of intoxication," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Prentice, from the committee on general laws, to which was referred Assembly bill introduced by Mr. Weimert (No. 1616, Int. No. 1306), entitled "An act to amend chapter four hundred and eighteen of the Laws of eighteen hundred and ninety-seven, entitled 'An act in relation to liens, constituting chapter forty-nine of the general laws,' relating to the discharge of a lien by payment of money into court and the cancellation of notice of the pendency of action," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Prentice, from the committee on general laws, to which was recommitted Assembly bill introduced by Mr. Patton (No. 1886, Int. No. 1473), entitled "An act to amend chapter three hundred and eight of the Laws of nineteen hundred and three, entitled 'An act to regulate the junk business,' and to require a person engaging in such business to procure a license," retaining its place on the order of third reading, reported in favor of the passage of the following substitute bill:

(See Appendix No. 29.)

which report was agreed to, and said substitute bill ordered printed and restored to its place on the order of third reading and referred to the committee on revision.

Mr. Prentice, from the committee on general laws, to which was referred Assembly bill introduced by Mr. Stanley (No. 36, Int. No. 36), entitled "An act to amend chapter four hundred and eighteen of the Laws of eighteen hundred and ninety-seven, entitled 'An act in relation to liens, constituting chapter forty-nine of the general laws,' in relation to liens of hotel, inn, boarding and lodging-house keepers, as amended by chapter three hundred and eighty of the Laws of eighteen hundred and ninety-nine," reported the following substitute bill:

(See Appendix No. 28.)

and request that said bill be recommitted to said committee, which report was agreed to, and said substitute bill ordered printed and recommitted to said committee.

Mr. Boshart, from the committee on agriculture, to which was referred the bill introduced by Mr. Merritt (No. 2015, Int. No. 1540), entitled "An act to amend the Agricultural Law, in relation to the sale and transportation of adulterated and misbranded foods and regulating traffic therein," reported in favor of the passage of the same, with the following amendments:

On page 4, line 4, after the word "ingredient" insert a ".".

Page 4, line 4, after the word "ingredient" place in brackets the remainder of line 4 and all of line 5.

On page 4, line 15, after the word "other" insert the word "deleterious".

On page 4, line 15, after the word "ingredients" place in brackets the words "deleterious or detrimental to health".

On page 6, line 16, after the word "any" place in brackets the word "alcohol".

On page 9, line 1, after the word "act" insert the following words "In taking such samples for analysis they shall be taken in duplicate one of which shall be tendered and if accepted shall be delivered at the time of taking to the person, from whom the sample is procured."

On page 9, line 17, after the second word "the" insert the word "attorney-general".

On page 9, line 17, after the second word "the" place in brackets the following words "district attorney of the proper county, or to a special attorney employed as provided in this act".

On page 10, strike out the entire page.

On page 11, strike out lines 1 and 2.

On page 12, line 1, after the word "the" place in brackets the following words: "percentage of alcohol, and the proportion of each, of the other ingredients named or described".

On page 12, line 2, after the word "described" insert the following words: "quantity or proportion on any substance named or described".

On page 12, line 19, after the word "act" insert the following words: "No dealer shall be exempt from prosecution under the provisions of this section unless the sample taken for analysis is shown to be in the condition in which he received it from the wholesaler, jobber, manufacturer or other party resident in the United States."

On page 13, line 11, after the word "direct" remove the ",", and insert a ".".

On page 13, line 11, after the word "direct" place in brackets the remainder of line 11, all of lines 12, 13 and 14.

On page 13, line 15, place in brackets all of section 172, on pages 13 and 14, down to and including line 10 on page 14.

Mr. Boshart, from the committee on agriculture, to which was referred the bill (No. 1672, Int. No. 1340) introduced by Mr. Stratton, entitled "An act to amend the Agricultural Law, in relation to additional sanitary requirements as to dairy products," reported in favor of the passage of the same, with the following amendments:

On page 7, line 1, after the word "culture" strike out remainder of line 1 and all the remainder of page 7 and lines 1, 2, 3 and 4 of page 8, and insert in the place thereof the following: "The commissioner of agriculture shall have the power [to issue subpoenas to be attested by him in his official capacity to any person or persons] by subpoena or subpoena duces tecum, issued and attested by him in his official capacity to require the attendance and testimony before him, or any of his assistant commissioners, of any person or persons, whom he may have reason to believe has knowledge of any alleged violation of the agricultural law, [to appear] and the production before him or any of his assistant commissioners of agriculture [for the purpose of investigating alleged violation of the agricultural law.] of any records, books, papers and documents for the purpose of investigating any alleged violation of the agricultural law. Such subpoenas or subpoena duces tecum may be served by any person over the age of twenty-one years. No person shall be excused from attending and testifying or producing any records, books, papers or other documents before said commissioner of agriculture or any of his assistant commissioners of agriculture upon such investigation upon the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to convict him of a crime or subject him to a penalty or forfeiture, but no person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he may so testify or produce evidence, documentary or otherwise, and no testimony so given or produced shall be received against him upon any criminal action, investigation or proceeding. Any person or persons who shall omit, neglect or refuse to [obey subpoenas attested in the name of the commissioner of agriculture or who shall refuse to testify under oath before the commissioner of agriculture or his assistant commissioners of agriculture, is guilty of a misde-

meanor.] attend and testify or to produce any records, books, papers or documents, if in his power so to do, in obedience to such subpoena or subpoena duces tecum shall be guilty of a misdemeanor. Any person who shall wilfully and knowingly make any false statement under oath before the commissioner of agriculture, or his assistant commissioners of agriculture concerning a material matter, shall be guilty of perjury. The commissioner of agriculture and his assistant commissioners of agriculture are hereby authorized and empowered to administer oaths and affirmations in the usual appropriate forms to any person or persons in any matter or proceedings authorized as aforesaid and in all matters pertaining or relating to the agricultural law and to take and administer oaths and affirmations in the usual appropriate forms, in taking any affidavit or deposition which may be necessary or required by law or by any order, rule or regulation of the commissioner of agriculture for or in connection with the official purposes, affairs, powers, duties or proceedings of said commissioner of agriculture or his assistant commissioners of agriculture or any official purpose lawfully authorized by said commissioner of agriculture. [The commissioner of agriculture or his assistant commissioners of agriculture shall have the power in proper cases to issue subpoenas duces tecum. Such subpoena or subpoena duces tecum may be served by any person over the age of twenty-one years. Any person who shall make any false statement under oath before the commissioner of agriculture or his assistant commissioners of agriculture is guilty of perjury].

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Boshart, from the committee on agriculture, to which was recommitted the bill introduced by Mr. Burns (No. 2138, Int. No. 236), entitled "An act to amend the Agricultural Law, relative to confectionery," reported the same with the following amendments:

On page 2, line 1, after the word "yellow" strike out the word "glucose".

On page 4, strike out lines 4, 5 and 6 entire.

and request that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Waddell, from the committee on State prisons, to which was referred the bill introduced by Mr. Waddell (No. 1019, Int.

No. 904), entitled "An act to amend section seventy-four of title two of chapter three of part four of the Revised Statutes, relating to State prisons, relative to the parole of certain prisoners," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hooper, from the committee on labor and industries, to which was referred the bill (No. 1738, Int. No. 1367) introduced by Mr. Hooper, entitled "An act to amend the Labor Law, relative to the employment of women and minors," reported in favor of the passage of the same, with the following amendments:

On page 1, line 8, after the word "minors" insert the words "and women".

On page 2, line 21, strike out the word "women" and insert the word "woman".

On line 23, after the word "establishment" insert the words "in this state", on line 24, strike out the words "in this state".

On page 3, line 1, after the word "day" insert the following: "except on Saturday, or except".

On line 1, after the word "day" strike out the word "unless", at the end of line 4 insert the following: "This section shall not apply to adult females employed solely as cleaners or scrub-women".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Hooper, from the committee on labor and industries, to which was referred Assembly bill (No. 2168, Int. No. 1601) introduced by Mr. Hooper, entitled "An act to amend the Labor Law and repeal chapter nine of the Laws of nineteen hundred and one, relative to the organization of the department of labor," reported in favor of the passage of the same, with the following amendments:

On page 2, line 13, after the word "of" strike out the word "four" and insert the word "five"; on the same line after the word "thousand" strike out the words "five hundred".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Mills, from the committee on fisheries and game, to which was referred Assembly bill introduced by Mr. Stratton (No. 1485, Int. No. 1233), entitled "An act to amend the Forest, Fish and

Game Law, in relation to the close season for trout in Chenango county," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mills, from the committee on fisheries and game, to which was referred Assembly bill (No. 260, Int. No. 259) introduced by Mr. Stratton, entitled "An act to amend the Forest, Fish and Game Law, in relation to catching suckers with nets in the Unadilla river, in Otsego and Chenango counties," reported in favor of the passage of the same, with the following amendments:

On page 1, line 5, after "Chenango" strike out "county".

Page 1, line 5, after "Chenango" insert in italics "and Otsego counties".

Page 1, line 7, after "county" insert in italics "and in the Unadilla river in Chenango and Otsego counties below the Sawyer dam situated in the town of New Berlin".

Page 2, line 2, after "commission" strike out all of said line.

Page 2, line 3, strike out all line 3.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Mills, from the committee on fisheries and game, to which was referred Senate bill introduced by Mr. Gates (No. 1075, Rec. No. 206), entitled "An act to amend the Forest, Fish and Game Law, in relation to set lines and tip-ups on Big Sandy pond in Oswego county and in Chenango county," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. DeGroot, from the committee on claims, to which was referred Assembly bill introduced by Mr. Staley (No. 1479, Int. No. 1227), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of A. L. Greene against the State for expenses incurred as a deputy factory inspector, and to render judgment therefor."

Also, Assembly bill introduced by Mr. Cunningham (No. 1481, Int. No. 1229), entitled "An act to confer jurisdiction upon the Court of Claims, to hear, audit and determine the alleged claim of the First National Bank of Ellenville, New York, against the State of New York, and to render judgment therefor."

Also, Assembly bill introduced by Mr. Stanley (No. 376, Int. No. 371), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Mannheim Brown against the State, for damages alleged to have been sustained by him, and to render judgment therefor."

Also, Assembly bill introduced by Mr. C. Smith (No. 944, Int. No. 862), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of James E. Shelland against the State of New York, for money alleged to have been expended, and for services rendered as an officer in the Thirty-ninth Regiment of the New York State Militia in the years eighteen hundred and sixty-one and eighteen hundred and sixty-two."

Also, Assembly bill introduced by Mr. Filley (No. 1452, Int. No. 1207), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Arthur C. Condit against the State of New York, for damages alleged to have been sustained in the autumn of nineteen hundred and two."

Also, Assembly bill introduced by Mr. Hammond (No. 1015, Int. No. 900), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of E. J. Lawless, doing business under the title name of the Lawless Paper Company against the State of New York, and to render judgment therefor."

Also, Assembly bill introduced by Mr. Dominy (No. 2283, Int. No. 1657), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of James P. Cunningham against the State of New York, and to render judgment therefor."

Also, Assembly bill introduced by Mr. Ferguson (No. 2071, Int. No. 1558), entitled "An act to confer upon the Court of Claims jurisdiction to hear, audit and determine the alleged claim against the State of the executors and devisees of Robert Earl, deceased."

Also, Assembly bill introduced by Mr. Merritt (No. 2292, Int. No. 1667), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Gustavus Kirby, and to render judgment therefor."

Also, Assembly bill introduced by Mr. Croak (No. 1869, Int. No. 1454), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the claim of William W. Bryan, for damages arising from the sale by the State Comptroller of the north half of lot number seven, great lot number seven, seventeenth allotment, Kayaderosseras patent, for the alleged non-payment of the taxes of eighteen hundred and ninety-six, town of Greenfield, Saratoga county, at tax sale of nineteen hundred, alleged to have been sustained by him, and to render judgment therefor."

Also, Assembly bill introduced by Mr. Cunningham (No. 1892, Int. No. 1479), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of Clarence W. Francis against the State, for disbursements and expenditures by him as deputy attorney-general of the State of New York."

Also, Assembly bill introduced by Mr. Mead (No. 1993, Int. No. 1553), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Oliver A. Quayle against the State for damages alleged to have been sustained by him, and to render judgment therefor."

Also, Assembly bill introduced by Mr. Ferguson (No. 2070, Int. No. 1557), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Daniel F. Strobel and Dennis Moynehan, doing business under the firm name of Strobel and Moynehan, against the State for damages alleged to have been sustained by them, and to render judgment therefor," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Hastings, from the committee on revision, to which was referred Senate bill (No. 1065, Rec. No. 251) and Assembly bill (No. 1982, Int. No. 1522), entitled "An act to release to Margaretha Ansay all the right, title and interest of the people of the State of New York, in and to certain real estate situate in the city of Buffalo, county of Erie and State of New York, acquired by escheat or otherwise, upon the death of Hyronimus Wagner," reported that they have compared the same and find that they are

identical, which report was agreed to, and said Senate bill was ordered substituted for said Assembly bill, and placed on the order of third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Filley (No. 2209, Int. No. 1458), entitled "An act to provide for the collection and enforcement of State and county taxes in the city of Troy, and for the sale of lands for unpaid State and county taxes in the county of Rensselaer and to legalize and confirm the acts of the county treasurer of Rensselaer county and of other officials of said county in regard to the collection and enforcement of State and county taxes in the county of Rensselaer."

Also, the bill introduced by Mr. Croak (No. 2197, Int. No. 1568), entitled "An act to amend chapter one hundred and ninety of the Laws of eighteen hundred and seventy-eight, entitled 'An act to protect the Seaside boulevard and meadows adjacent thereto on the south shore of Staten Island, and to prevent the same from being injured or overflowed by the waters of the bay of New York,' in relation to the removal of sand, earth or clay."

Also, the bill introduced by Mr. Northrup (No. 2262, Int. No. 891), entitled "An act to amend the Labor Law, relative to hours of labor of certain employees on railroads."

Also, the bill introduced by Mr. Cobb (No. 713, A. reprint No. 2246, Rec. No. 148), entitled "An act to amend the Agricultural Law, in relation to the suppression of infectious and contagious diseases of domestic animals."

Also, the bill introduced by Mr. Baldwin (No. 2261, Int. No. 1587), entitled "An act to amend the Code of Civil Procedure, in relation to the distribution of personal property and to repeal subdivision three of section twenty-seven hundred and thirty-two."

Also, the bill introduced by Mr. Merritt (No. 2198, Int. No. 1005), entitled "An act to incorporate the Long Sault Development Company, and to authorize said company to construct and maintain dams, canals, power-houses and locks at or near Long Sault Island, for the purpose of improving the navigation of the Saint Lawrence river and developing power from the waters thereof, and to construct and maintain a bridge, and carry on the manufacture of commodities," reported the same without rec-

ommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Hoey (No. 2206, Int. No. 1447), entitled "An act to amend the Greater New York charter, relative to vacations of employees whose compensation is fixed by the day or hour," reported the same with the following recommendations:

On page 1, line 2, after "charter" insert comma.

On page 1, line 3, strike out "forty" and insert in place thereof "sixty".

On page 1, line 4, strike out "known as".

On page 1, line 5, strike out "six," and insert in place thereof "seven thereof, to read".

On page 1, line 6 strike out "fifteen hundred and sixty-six" and insert in place thereof "fifteen hundred and sixty-seven".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Hastings (No. 2241, Int. No. 1650), entitled "An act to amend the General Village Law, in relation to auctioneering, peddling, hawking and selling goods in villages incorporated thereunder," reported the same with the following recommendations:

On page 1, in first line of title, strike out "general".

On page 1, strike out second and third lines of title and insert in place thereof "hawking and peddling of goods, wares and merchandise or property of any kind in villages."

On page 1, line 4, strike out "so as".

On page 2, line 1, before "except" insert comma inside of bracket.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred Senate bill (No. 531, Assembly reprint No. 2199, Rec. No. 86), entitled "An act to amend the Greater New York charter, in relation to retiring members of the fire department," reported the same with the following recommendations:

On page 1, in first line of title, after second "to" insert "the amount of annual pension to".

On page 1, line 4, strike out "so as".

On page 1, line 5, strike out "et cetera." and insert in place thereof "etc."

On page 3, line 20, after "allowed" insert "as salary".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. G. H. Whitney (No. 2258, Int. No. 347), entitled "An act to amend the Penal Code, in relation to crimes against the public health and safety, with reference to the sale of poisons," reported the same with the following recommendations:

On page 1, in title, after "code" insert comma.

On page 1, in title, strike out "crimes against the public health and safety with reference to".

On page 1, in title, after "sale" insert "and furnishing".

On page 1, in title, before "poisons" insert "certain".

On page 2, line 5, after "cocaine" insert comma inside of bracket.

Same page and line, strike out comma after bracket.

On page 2, line 14, after "hydrate" insert comma inside of bracket.

Same page and line, after bracket strike out comma.

On page 2, line 15, after "sublimate" insert comma inside of bracket.

Same page and line, strike out comma after bracket.

On page 3, line 18, strike out "three" and insert in place thereof "two".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Duell (No. 2257, Int. No. 1555), entitled "An act to amend section twenty-five hundred and thirteen of the Code of Civil Procedure," reported the same with the following recommendations:

On page 1, in title, strike out "section twenty-five hundred and thirteen of".

On page 1, in last line of title, strike out period and insert in place thereof ", relative to stenographer fees in Westchester county."

On page 1, line 2, strike out "so as".

On page 1, line 4, after "Queens," insert "and".

Same page and line, strike out "and Sullivan".

Same page and line, after "Queens" strike out comma; after Richmond insert comma.

On page 1, line 6, after "who" insert ", except in Sullivan county,".

On page 2, line 7, after "census." insert "If a regular stenographer is appointed in Sullivan county, his salary shall be five hundred dollars per annum."

On page 2, line 15, after "Westchester" comma not in italics. which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Wagner (No. 2260, Int No. 1501), entitled "An act to amend the Railroad Law, in relation to the rate of fare," reported the same with the following recommendations:

On page 1, line 1, strike out second "s" in "Sections".

Same page and line, strike out ", one hundred and one and one hun-".

On page 1, line 2, strike out "dred and four".

On page 1, line 4, after "railroads" strike out comma.

On page 1, line 5, strike out ", are" and insert in place thereof "by chapter six hundred and seventy-six of the laws of eighteen hundred and ninety-two, chapter four hundred and thirty-four of the laws of eighteen hundred and ninety-three and by chapter nine hundred and thirty-three of the laws of eighteen hundred and ninety-five, is".

On page 1, line 6, after "railroads" strike out comma and insert in place thereof semicolon.

On page 1, line 7, after "article" italicize comma.

On page 1, line 8, after "which" insert comma.

On page 1, line 9, after "thereof" insert comma.

On page 1, line 11, after "railroad" insert comma.

On page 2, line 3, after "highway" insert comma.

On page 2, line 4, after "village" and "state" insert commas.

On page 2, line 6, after "corporation" insert comma.

On page 2, line 7, after "thereof" insert comma.

On page 2, line 10, strike out "a".

On page 2, line 16, after "branches" insert comma.

On page 2, line 22, strike out "s" in "proceedings".

On page 3, after line 13, insert new section as follows: "§ 2. Section one hundred and one of said act, as amended by chapter

six hundred and seventy-six of the laws of eighteen hundred and ninety-two and by chapter six hundred and eighty-eight of the laws of eighteen hundred and ninety-seven, is hereby amended to read as follows: "

On page 3, line 18, after "four" strike out period and insert in place thereof comma.

On page 3, line 19, after second "road" strike out period and insert in place thereof comma.

On page 3, line 24, after first "thereof" insert comma.'

On page 3, line 25, after "village" strike out comma.

Same page and line, after "[.]" italicize semicolon.

On page 4, line 10, strike out "one-half" and insert in place thereof "a half".

On page 4, line 11, strike out "sixth" and insert in place thereof "six".

On page 4, line 18, after "constructed" italicize comma.

On page 4, line 19, italicize first "or".

Same page and line, strike out "operate" and insert in place thereof "operated".

On page 4, after line 23, insert new section, as follows: "§ 3. Section one hundred and four of said act, as amended by chapter six hundred and seventy-six of the laws of eighteen hundred and ninety-two, is hereby amended to read as follows: "

On page 4, line 25, strike out "ties." and insert in place thereof "ty."

On page 4, line 26, after "contract" italicize comma.

On page 5, line 2, after "points" italicize comma.

On page 5, line 12, strike out "s" in "operations".

On page 5, line 22, strike out "two" and insert in place thereof "four".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. West, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Agricultural Law, in relation to the suppression of infectious and contagious diseases of domestic animals." (No. 2246, Rec. No. 148.)

"An act to amend the Labor Law, relative to hours of labor of certain employees on railroads." (No. 2262, Int. No. 891.)

"An act to amend the Code of Civil Procedure, in relation to the distribution of personal property, and to repeal subdivision three of section twenty-seven hundred and thirty-two." (No. 2261, Int. No. 587.)

"An act to incorporate the Long Sault Development Company, and to authorize said company to construct and maintain dams, canals; power-houses and locks at or near Long Sault island, for the purpose of improving the navigation of the Saint Lawrence river and developing power from the waters thereof, and to construct and maintain a bridge, and carry on the manufacture of commodities." (No. 2198, Int. No. 1005.)

"An act to provide for the collection and enforcement of State and county taxes in the city of Troy, and for the sale of lands for unpaid State and county taxes in the county of Rensselaer and to legalize, and confirm the acts of the county treasurer of Rensselaer county and of other officials of said county in regard to the collection and enforcement of State and county taxes in the county of Rensselaer." (No. 2209, Int. No. 1458.)

"An act to amend chapter one hundred and ninety of the Laws of eighteen hundred and seventy-eight, entitled 'An act to protect the Seaside boulevard and meadows adjacent thereto on the south shore of Staten Island, and to prevent the same from being injured or overflowed by the waters of the bay of New York,' in relation to the removal of sand, earth or clay." (No 2197, Int. No. 1568.)

"An act to amend the Military Code, in relation to the compensation of day laborers employed by the adjutant-general." (No. 971, Int. No. 870.)

Mr. Glynn offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on labor and industries be discharged from the further consideration of the bill (No. 783, Int. No. 717), entitled "An act to amend the Labor Law, in relation to cash payment of wages."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

AYES 35

NOES 53

Those who voted in the affirmative were:

Bohan	Eichhorn	Glynn	Keller	Smith A E
Buckley	Farrell	Goldberg	McCue	Stern
Croak	Fay	Hackett	Mooney	Stratton
Cuvillier	Flanagan	Harawitz	Northrup	Todd

Dobbs	Foley J A	Harper	Oliver	Wagner
Donnelly	Ganly	Hoey	Prince	Walters
Eagleton	Geoghagan	Holmes	Sheridan	West

Those who voted in the negative were:

Apgar	De Groot	Hamilton	Matthews	Stanton
Baldwin	Dominy	Hammond	Morgan	Stevenson
Boshart	Draper	Hamn	Nevins	Volk
Brough	Dudley	Harris	Newton	Voss
Brown	Duell	Hooper	Norton	Waddell
Burhyte	Eggleston	Hubbs	Phillips	Waters
Chamberlain	Fowler	Hurd	Robinson	Whitney F G
Cole	Francis	Lee	Rogers	Whitney G H
Colné	Frisbie	Lowe	Sinclair	Wood
Conklin	Green	Lupton	Smith C	Yale
Conrady	Gunderman	Marlatt		

Mr. Glynn moved to reconsider the vote by which said resolution was lost, and that said motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was decided in the affirmative.

Mr. A. E. Smith offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of the Senate bill (No. 1046, Rec. No. 196) entitled "An act to provide for iron gates for the protection of life on streets leading to the Gowanus canal in the borough of Brooklyn in the city of New York."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, on motion of Mr. A. E. Smith, and by unanimous consent, said bill was read the second time and ordered to a third reading.

Mr. Phillips offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on taxation and retrenchment be discharged from the further consideration of the bill (No. 2152, Int. No. 1593) entitled "An act to amend the tax law, and providing for the assessment as a special franchise by the state board of tax commissioners of an occupancy of the streets, highways and public places where such occupancy has not been ratified by grant from public authority."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, Mr. Phillips moved to amend as follows:

Page 3, line 20, strike out "immediately" and insert "July first, nineteen hundred and seven."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Phillips, said bill was ordered reprinted and recommitted to the committee on taxation and retrenchment.

Mr. Phillips offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on taxation and retrenchment be discharged from the further consideration of the bill (No. 2151, Int. No. 1592) entitled "An act to amend the tax law, in relation to ascertaining value of special franchises and equalization thereof, powers of state board of tax commissioners, review of assessments and collection of taxes."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, Mr. Phillips moved to amend as follows:

Page 7, line 25, strike out "hereinabove" and insert in place thereof "hereinafter".

Page 8, line 10, after the word "based" insert: "The state board of tax commissioners shall keep a record of any reductions made by it from such tentative valuations, and shall specify separately the amount of reduction by reason of over-valuation and the reduction by way of equalization to the basis of the assessed value of other real property in the tax district affected. Said board shall furnish to the tax district, or the person, association, co-partnership or corporation affected by such reductions, a statement thereof upon receipt of a written request therefor".

Page 9, line 11, after "warrant" insert "or the tax roll where no warrant is required".

Page 9, line 12, after "first" insert "posted or".

Page 11, line 5, strike out "commissioner" and insert "commissioners".

Page 12, line 23, after "such" insert "petition, order and".

Page 13, line 13, after "tax" insert "as provided in subdivision two of section forty-five-a of this act."

Page 13, line 21, strike out "wholly" and insert "solely".

Page 13, line 24, strike out "tax" and insert "assessment".

Page 13, line 24, strike out "where upon" and insert "where-upon".

Page 14, line 20, after first "such" insert "person, association, co-partnership or".

Page 14, line 22, after first "such" insert "person, association, co-partnership or".

Page 14, line 24, after "shall" insert "determine the assessment to be legal".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Phillips, said bill was ordered reprinted and recommitted to the committee on taxation and retrenchment.

Mr. Baldwin offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of the bill (No. 2436, Int. No. 1732) entitled "An act relative to ordinances, relating to the disposition of franchises in the city of Syracuse."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hammond offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on the judiciary be discharged from the further consideration of Assembly bill (No. 1065, Int. No. 932) entitled "An act to amend chapter four hundred and fifty-nine of the Laws of eighteen hundred and ninety-three, entitled 'An act to incorporate the Economic Power and Construction Company,' generally" and that said bill be referred to the committee on electricity, gas and water supply.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Winters moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Allen	Dobbs	Geoghagan	Lupton	Schwegler
Apgar	Dominy	Gluck	Maher	Sheridan
Averill	Dowling	Glynn	Marlatt	Sinclair
Baldwin	Draper	Green	McCue	Smith C

Baumann	Dudley	Gunderman	Merritt	Staley
Blue	Duell	Hackett	Miller	Stanton
Boshart	Eagleton	Haines	Morgan	Stevenson
Brough	Eggleston	Hamilton	Nevins	Stratton
Brown	Eichhorn	Hammond	Newton	Surpless
Buckley	Farrell	Hamn	Norton	Todd
Burhyte	Fay	Harper	Oliver	Voss
Burzynski	Ferguson	Harris	Phillips	Wainwright
Chamberlain	Filley	Hart	Prentice	Waters
Collins	Flanagan	Holmes	Prince	Weber
Colné	Foley C F	Hooper	Ralston	Whitney F G
Conklin	Fowler	Hubbs	Reece	Whitney G H
Conrad	Francis	Hurd	Robinson	Winters
Croak	Frisbie	Keller	Rogers	Wood
Cunningham	Ganly	Lansing	Schmidt	Yale
Cuvillier	Garbe	Lewis	Schoeneck	Young
De Groot				

Mr. Winters moved that all further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 1997) entitled "An act to amend the Code of Criminal Procedure, in relation to what persons are vagrants" (Int. No. 33), having been announced for a third reading,

Mr. Whitley moved that said bill be recommitted to the committee on codes, with instruction to report the same forthwith amended as follows:

Page 1, line 4, strike out words after "felony".

Page 1, line 5, strike out first eight words to and including "burglar".

On motion of Mr. Winters, and by unanimous consent, said bill with amendments pending was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 2267) entitled "An act to amend the Highway Law, in relation to State aid in towns under the money system" (Int. No. 153), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2297) entitled "An act authorizing the city of Lockport to issue bonds, for the purpose of acquiring real property for a site for a public market and constructing the same" (Int. No. 1672), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E

Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1317) entitled "An act for the promotion of agriculture and making an appropriation therefor" (Int. No. 1112), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss

Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2025) entitled "An act providing for State aid to towns under the money system which have failed to levy assessments for poll taxes" (Int. No. 1550), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells

Conrad	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1882) entitled "An act to amend the Lien Law, in relation to the discharge of a bond or undertaking" (Int. No. 1469), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hackett	Matthews	Sheridan
Averill	Draper	Hamilton	McCue	Shuttleworth
Baldwin	Dudley	Hammond	Merritt	Sinclair
Blue	Duell	Hann	Miller	Smith A E
Bohan	Eagleton	Harawitz	Mills	Smith C
Boshart	Eggleston	Harper	Mooney	Smith Myron
Brady	Eichhorn	Harris	Morgan	Staley
Brooks	Ferguson	Hart	Murphy C F	Stern
Brough	Feth	Hastings	Murphy G W	Stevenson
Brown	Filley	Hoey	Nevins	Stratton
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Chamberlain	Frisbie	Keller	Parker	Waters
Cole	Ganly	Lansing	Patton	Weber
Colné	Garbe	Lee	Phillips	Weimert
Conklin	Geoghagan	Lewis	Prince	Wells
Conrad	Glore	Loos	Ralston	West
Croak	Gluck	Lowe	Reece	Whitley
Cunningham	Glynn	Lupton	Robinson	Whitney F G
Cuvillier	Goldberg	Maher	Rogers	Whitney G H
De Groot	Gray	Mallon	Schmidt	Wood
Dobbs	Green	Mance	Schoeneck	Yale
Dominy	Gunderman	Marlatt	Schulz	Young
Donnelly				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1392) entitled "An act to amend the Penal Code in relation to the punishment of persons convicted of the crime of extortion and blackmail" (Int. No. 1152), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hackett	Matthews	Sheridan
Averill	Draper	Hamilton	McCue	Shuttleworth
Baldwin	Dudley	Hammond	Merritt	Sinclair
Blue	Duell	Hamn	Miller	Smith A E
Bohan	Eagleton	Harawitz	Mills	Smith C
Boshart	Eggleston	Harper	Mooney	Smith Myron
Brady	Eichhorn	Harris	Morgan	Staley
Brooks	Ferguson	Hart	Murphy C F	Stern
Brough	Feth	Hastings	Murphy G W	Stevenson
Brown	Filley	Hoey	Nevins	Stratton
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Chamberlain	Frisbie	Keller	Parker	Waters
Cole	Ganly	Lansing	Patton	Weber
Colné	Garbe	Lee	Phillips	Weimert
Conklin	Geoghagan	Lewis	Prince	Wells
Conrady	Glore	Loos	Ralston	West
Croak	Gluck	Lowe	Reece	Whitley
Cunningham	Glynn	Lupton	Robinson	Whitney F G
Cuvillier	Goldberg	Maher	Rogers	Whitney G H
De Groot	Gray	Mallon	Schmidt	Wood
Dobbs	Green	Mance	Schoeneck	Yale
Dominy	Gunderman	Marlatt	Schulz	Young
Donnelly				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2183) entitled "An act to amend the Forest, Fish and Game Law, in relation to fishing in Otsego lake" (Int.

No. 1620), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoe	Nevins	Stratton
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2275) entitled "An act to authorize the Comptroller of the State to hear and determine the application of May R. DeSilva, for the cancellation of the eighteen hundred and ninety-five tax sale of lot forty-one, great lots seven and ten, Darling's first survey, Hardenburgh patent, in the county of Ulster" (Int. No. 1494), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoe	Nevins	Stratton
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin]	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gundermann	Matthews]	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2278) entitled "An act to authorize the Comptroller of the State to hear and determine the application of Rawson L. Hayes for redemption from the tax sales made by the Comptroller in eighteen hundred and seventy-seven and eighteen hundred and eighty-one upon lot number one hundred and sixty-four in township eleven, Old Military Tract, Essex county" (Int. No. 1329), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G I
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2202) entitled "An act to authorize the mayor of the city of Utica to appoint a commission to investigate plans for developing or acquiring a municipal water supply for said city" (Int. No. 445), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hackett	Matthews	Sheridan
Averill	Draper	Hamilton	McCue	Shuttleworth
Baldwin	Dudley	Hammond	Merritt	Sinclair
Blue	Duell	Hamn	Miller	Smith A E
Bohan	Eagleton	Harawitz	Mills	Smith C
Boshart	Eggleston	Harper	Mooney	Smith Myron
Brady	Eichhorn	Harris	Morgan	Staley
Brooks	Ferguson	Hart	Murphy C F	Stern
Brough	Feth	Hastings	Murphy G W	Stevenson
Brown	Filley	Hoey	Nevins	Stratton
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Chamberlain	Frisbie	Keller	Parker	Waters
Cole	Ganly	Lansing	Patton	Weber
Colné	Garbe	Lee	Phillips	Weimert
Conklin	Geoghagan	Lewis	Prince	Wells
Conrady	Glore	Loos	Ralston	West
Croak	Gluck	Lowe	Reece	Whitley
Cunningham	Glynn	Lupton	Robinson	Whitney F G
Cuvillier	Goldberg	Maher	Rogers	Whitney G H
De Groot	Gray	Mallon	Schmidt	Wood
Dobbs	Green	Mance	Schoeneck	Yale
Dominy	Gunderman	Marlatt	Schulz	Young
Donnelly				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2248) entitled "An act to provide for the appointment of a State commission of prisons, and defining its powers and duties" (Int. No. 1266), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E

Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddeil
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2205) entitled "An act to abolish the board of park commissioners in and for the city of Yonkers" (Int. No. 1487), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hackett	Matthews	Sheridan
Averill	Draper	Hamilton	McCue	Shuttleworth
Baldwin	Dudley	Hammond	Merritt	Sinclair
Blue	Duell	Hamn	Miller	Smith A E
Bohan	Eagleton	Harawitz	Mills	Smith C
Boshart	Eggleston	Harper	Mooney	Smith Myron
Brady	Eichhorn	Harris	Morgan	Staley
Brooks	Ferguson	Hart	Murphy C F	Stern
Brough	Feth	Hastings	Murphy G W	Stevenson
Brown	Filley	Hoey	Nevins	Stratton
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk

Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Chamberlain	Frisbie	Keller	Parker	Waters
Cole	Ganly	Lansing	Patton	Weber
Colné	Garbe	Lee	Phillips	Weimert
Conklin	Geoghagan	Lewis	Prince	Wells
Conrady	Glore	Loos	Ralston	West
Croak	Gluck	Lowe	Reece	Whitley
Cunningham	Glynn	Lupton	Robinson	Whitney F G
Cuvillier	Goldberg	Maher	Rogers	Whitney G H
De Groot	Gray	Mallon	Schmidt	Wood
Dobbs	Green	Mance	Schoeneck	Yale
Dominy	Gunderman	Marlatt	Schulz	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2303) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for wild fowl in certain parts of the county of Niagara" (Int. No. 1236), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimer*
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley

Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2270) entitled "An act to amend the Greater New York charter, relative to salaries of the members of the fire department" (Int. No. 611), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hackett	Matthews	Sheridan
Averill	Draper	Hamilton	McCue	Shuttleworth
Baldwin	Dudley	Hammond	Merritt	Sinclair
Blue	Duell	Hamn	Miller	Smith A E
Bohan	Eagleton	Harawitz	Mills	Smith C
Boshart	Eggleston	Harper	Mooney	Smith Myron
Brady	Eichhorn	Harris	Morgan	Staley
Brooks	Ferguson	Hart	Murphy C F	Stern
Brough	Feth	Hastings	Murphy G W	Stevenson
Brown	Filley	Hoey	Nevins	Stratton
Buckley	Flanagan	Holmes	Newton	Todd
Burhyle	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Chamberlain	Frisbie	Keller	Parker	Waters
Cole	Ganly	Lansing	Patton	Weber
Colné	Garbe	Lee	Phillips	Weimert
Conklin	Geoghagan	Lewis	Prince	Wells
Conrady	Glore	Loos	Ralston	West
Croak	Gluck	Lowe	Reece	Whitley
Cunningham	Glynn	Lupton	Robinson	Whitney F G
Cuvillier	Goldberg	Maher	Rogers	Whitney G H
De Groot	Gray	Mallon	Schmidt	Wood
Dobbs	Green	Mance	Schoeneck	Yale
Dominy	Gunderman	Marlatt	Schulz	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2223) entitled "An act to amend the Highway Law, in relation to exempting certain counties from the poll tax" (Int. No. 472), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamm	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same, and request the concurrence of the Senate therein.

The Senate bill (No. 825, A. reprint No. 2301) entitled "An act to amend the Election Law, as amended by chapters ninety-five and two hundred and thirty-two of the Laws of nineteen hundred and one and chapter six hundred and forty-three of the

Laws of nineteen hundred and five, relating to notices of election " (Rec. No. 138), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hackett	Matthews	Sheridan
Averill	Draper	Hamilton	McCue	Shuttleworth
Baldwin	Dudley	Hammond	Merritt	Sinclair
Blue	Duell	Hamn	Miller	Smith A E
Bohan	Eagleton	Harawitz	Mills	Smith C
Boshart	Eggleston	Harper	Mooney	Smith Myron
Brady	Eichhorn	Harris	Morgan	Staley
Brooks	Ferguson	Hart	Murphy C F	Stern
Brough	Feth	Hastings	Murphy G W	Stevenson
Brown	Filley	Hoey	Nevins	Stratton
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Chamberlain	Frisbie	Keller	Parker	Waters
Cole	Ganly	Lansing	Patton	Weber
Colné	Garbe	Lee	Phillips	Weimert
Conklin	Geoghagan	Lewis	Prince	Wells
Conrady	Glore	Loos	Ralston	West
Croak	Gluck	Lowe	Reece	Whitley
Cunningham	Glynn	Lupton	Robinson	Whitney F G
Cuvillier	Goldberg	Maher	Rogers	Whitney G H
De Groot	Gray	Mallon	Schmidt	Wood
Dobbs	Green	Mance	Schoeneck	Yale
Dominy	Gunderman	Marlatt	Schulz	Young
Donnelly				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Baldwin moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Allen	Dowling	Hackett	McCue	Sinclair
Apgar	Dudley	Haines	Merritt	Smith A E
Averill	Eagleton	Hamilton	Miller	Stanton
Baldwin	Eggleston	Hammond	Morgan	Stevenson
Baumann	Eichhorn	Harper	Murphy C F	Stratton
Blue	Farrell	Harris	Nevins	Todd
Bohan	Ferguson	Hart	Newton	Volk
Boshart	Filley	Hoey	Northrup	Voss
Brown	Flanagan	Holmes	Oliver	Waddell
Buckley	Foley C F	Hooper	Phillips	Wagner
Burhyte	Foley J A	Hubbs	Prentice	Wainwright
Chamberlain	Fowler	Hurd	Prince	Waters
Cole	Francis	Keller	Ralston	Weber
Collins	Ganly	Lansing	Robinson	West
Colne	Garbe	Lee	Rogers	Whitney F G
Conklin	Geoghagan	Lewis	Schmidt	Whitney G H
Conrady	Glore	Lowe	Schoeneck	Winters
Cuvillier	Gluck	Lupton	Schwegler	Wood
De Groot	Glynn	Maher	Sheridan	Yale
Dominy	Gunderman	Marlatt		

Mr. Baldwin moved that the call of the House be made a close call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 2269) entitled "An act to amend the Railroad Law, in relation to rates of fare" (Int. No. 475), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 1

Those who voted in the affirmative were:

Allen	Donnelly	Gunderman	Marlatt	Sheridan
Averill	Dowling	Hackett	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Blue	Dudley	Hammond	Merritt	Smith A E
Bohan	Duell	Hamm	Miller	Smith C
Boshart	Eagleton	Harawitz	Mills	Smith Myron
Brady	Eggleston	Harper	Mooney	Staley
Brooks	Eichhorn	Harris	Morgan	Stern
Brough	Ferguson	Hart	Murphy C F	Stevenson
Brown	Feth	Hastings	Murphy G W	Stratton
Buckley	Filley	Hoey	Nevins	Todd
Burhyte	Flanagan	Holmes	Northrup	Volk
Burns	Foley C F	Hooper	Norton	Voss

Burzynski	Foley J A	Hubbs	O'Brian	Waddell
Cavanaugh	Fowler	Hurd	Oliver	Wagner
Chamberlain	Francis	Jackson	Parker	Waters
Cole	Frisbie	Keller	Patton	Weber
Colné	Ganly	Lansing	Phillips	Weimert
Conklin	Garbe	Lee	Prince	Wells
Conrady	Geoghagan	Lewis	Ralston	West
Croak	Glore	Loos	Reece	Whitley
Cunningham	Gluck	Lowe	Robinson	Whitney F G
Cuvillier	Glynn	Lupton	Rogers	Whitney G H
De Groot	Goldberg	Maher	Schmidt	Wood
Dobbs	Gray	Mallon	Schoeneck	Yale
Dominy	Green	Mance	Schulz	Young

In the negative:

Prentice

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2300) entitled "An act creating the office of county attorney" (Int. No. 933), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West

Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill and, as amended, have again passed the same, and request the concurrence of the Senate therein.

The bill (No. 2221) entitled "An act to amend chapter five hundred and eighteen of the Laws of eighteen hundred and sixty-seven, entitled 'An act to amend an act entitled "An act to incorporate the village of White Plains," passed April third, eighteen hundred and sixty-six,' generally" (Int. No. 1259), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevis	Stratton
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colne	Garbe	Lewis	Prince	Weimert
Conklin	Goughagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West

Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2302) entitled "An act to amend chapter seven hundred and sixty of the Laws of eighteen hundred and ninety-seven, entitled 'An act to revise the charter of the city of Water-town,' in relation to the liability of the city" (Int. No. 1517), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Philips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2271) entitled "An act to amend the Domestic Relations Law, by providing for marriage licenses" (Int. No. 184), having been announced for a third reading,

On motion of Mr. Wood, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 2224) entitled "An act to amend the Greater New York charter, in relation to street improvements in certain wards of the city and to provide for the raising of money and the levy and collection of special assessments therefor" (Int. No. 303), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frishie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colne	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrad	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 285, Assembly reprint No. 2222) entitled "An act to amend chapter one hundred and eighty-five of the Laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Auburn'" (Rec. No. 19), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoe	Nevins	Stratton
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrad	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The bill (No. 2304) entitled "An act to amend the Greater New York charter, relative to proceedings taken by commissioner of docks" (Int. No. 1399), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allén	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoe	Nevins	Stratton
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2220) entitled "An act to amend the Code of Civil Procedure generally and repealing sections nine hundred and seventy-eight and nine hundred and seventy-nine thereof" (Int. No. 785), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 11

Those who voted in the affirmative were:

Allen	Dowling	Hammond	McCue	Sheridan
Averill	Draper	Hamn	Merritt	Shuttleworth
Baldwin	Dudley	Harawitz	Miller	Sinclair
Blue	Duell	Harper	Mills	Smith A E
Bohan	Eagleton	Harris	Mooney	Smith C
Boshart	Eggleston	Hart	Morgan	Smith Myron
Brady	Eichhorn	Hastings	Murphy C F	Staley
Brooks	Ferguson	Hoey	Murphy G W	Stevenson
Brough	Feth	Hooper	Nevins	Todd
Brown	Filley	Hubbs	Newton	Volk
Buckley	Flanagan	Hurd	Northrup	Waddell
Burhyte	Foley C F	Jackson	Norton	Wagner
Burns	Foley J A	Keller	O'Brian	Walters
Burzynski	Fowler	Lansing	Oliver	Waters
Cavanaugh	Francis	Lee	Parker	Weber
Chamberlain	Frisbie	Lewis	Patton	Weimert
Cole	Garly	Loos	Phillips	Wells
Colné	Garbe	Lowe	Prince	West
Conklin	Geoghagan	Lupton	Ralston	Whitley
Conrady	Gray	Maher	Reece	Whitney F G
Croak	Green	Mallon	Robinson	Whitney G H
Cunningham	Gunderman	Mance	Schmidt	Wood
De Groot	Hackett	Marlatt	Schoeneck	Yale
Dominy	Hamilton	Matthews	Schulz	Young
Donnelly				

Those who voted in the negative were:

Cuvillier	Gluck	Goldberg	Rogers	Stratton
Dobbs	Glynn	Holmes	Stern	Voss
Glore				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2268) entitled "An act to amend chapter four hundred and seventy-one of the Laws of nineteen hundred and five, entitled 'An act to authorize the city of New Rochelle to borrow money for street improvements and issue bonds therefor,' relative to the rate of interest to be paid on bonds" (Int. No. 1536), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 1062) entitled "An act to legalize and confirm certain proceedings of the biennial town meeting of the town of Lima, in the county of Livingston, held on the twelfth day of March, nineteen hundred and seven" (Rec. No. 258), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hackett	Matthews	Shuttleworth
Averill	Draper	Hamilton	McCue	Sinclair
Baldwin	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Hamn	Miller	Smith C
Bohan	Eagleton	Harawitz	Mooney	Smith Myron
Boshart	Eggleston	Harper	Morgan	Staley
Brady	Eichhorn	Harris	Murphy C F	Stern
Brooks	Ferguson	Hart	Murphy G W	Stevenson
Brough	Feth	Hastings	Nevins	Stratton
Brown	Filley	Hoey	Newton	Todd
Buckley	Flanagan	Holmes	Northrup	Volk
Burhyte	Foley C F	Hooper	Norton	Voss
Burns	Foley J A	Hubbs	O'Brian	Waddell
Burzynski	Fowler	Hurd	Oliver	Wagner
Cavanaugh	Francis	Jackson	Parker	Walters
Chamberlain	Frisbie	Keller	Patton	Waters
Cole	Ganly	Lansing	Phillips	Weber
Colné	Garbe	Lee	Prince	Wells
Conklin	Geoghagan	Lewis	Ralston	West
Conrady	Glore	Loos	Reece	Whitley
Croak	Gluck	Lowe	Robinson	Whitney F G
Cunningham	Glynn	Lupton	Rogers	Whitney G H
Cuvillier	Goldberg	Maher	Schmidt	Wood
De Groot	Gray	Mallon	Schoeneck	Yale
Dobbs	Green	Mance	Schulz	Young
Donnelly	Gunderman	Marlatt	Sheridan	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1130) entitled "An act to amend the Greater New York charter, relative to the department of health pension fund" (Rec. No. 254), having been announced for third reading,

Mr. Hoey moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

On lines 7 and 8, strike out the words "January sixth, nineteen hundred and seven" and insert the word "immediately".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Dowling, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1202) entitled "An act to amend the Code of Civil Procedure with respect to the City Court of the city of New York, relating to an increase of the number of justices and salaries of justices, the duties of the justices abrogating the limitation of the clerk of the amount for which judgment may be entered, and repealing the section relating thereto, relating to the appointment and removal of clerks, attendants, et cetera, and their duties, creating an appellate term of the court for the hearing of appeals from the municipal courts of the city of New York and from the City Court, and providing how such appeals may be heard, and judgments thereon enforced, and allowing appeals to the Appellate Division in certain cases from judgments of the City Court, and also in reference to other matters pertaining to the administration of the court" (Int. No. 287), having been announced for a second reading,

On motion of Mr. Wagner, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 1353) entitled "An act to amend the Forest, Fish and Game Law, in relation to private parks, and repealing certain sections thereof" (Int. No. 1133), was read the second time.

On motion of Mr. Merritt, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1354) entitled "An act to amend the Forest, Fish and Game Law, in relation to protection against forest fires" (Int. No. 1134), was read the second time.

On motion of Mr. Merritt, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 371) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for grouse, woodcock, quail and squirrels in the county of Washington" (Int. No. 366), was read the second time.

On motion of Mr. Norton, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1447) entitled "An act to amend the Tax Law, in relation to the taxation of special franchises" (Int. No. 1202), was read the second time.

On motion of Mr. Averill, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2083) entitled "An act to amend chapter three hundred and seventy-one of the Laws of eighteen hundred and ninety-three, entitled 'An act to revise and consolidate the several acts in relation to the village of Dansville, and to revise and amend the charter of said village and to repeal certain acts and parts of acts,' generally" (Int. No. 1570), was read the second time.

On motion of Mr. Parker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 689) entitled "An act to amend the Village Law, relative to powers, duties and fees of policemen" (Int. No. 646), was read the second time.

On motion of Mr. Stratton, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 726) entitled "An act to authorize the town of Lewiston, Niagara county, to pay a certain portion of the expense of improving the highway from Lewiston to Dickersonville" (Int. No. 669), was read the second time.

On motion of Mr. Draper, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1428) entitled "An act to amend section three of chapter two hundred and thirty-one of the Laws of eighteen hundred and seventy-six, entitled 'An act to make the office of supervisor, in the county of Erie, a salaried office, and to provide for the appointment and compensation of other officers of said board,' as amended by chapter one hundred and ninety-five of the Laws of eighteen hundred and seventy-nine, as further amended by chapter four hundred and eighty-five of the Laws of eighteen hundred and ninety-two, in relation to the officers of the board of supervisors, and as further amended by chapter four hundred and eighty-seven of the Laws of eighteen hundred and ninety-eight" (Int. No. 1183), having been announced for a second reading,

On motion of Mr. Lee, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 257) entitled "An act to legalize the issuing of bonds of the town of Franklin, in the county of Franklin, authorized by the board of supervisors of said county, for the purpose of defraying the expense of filling in and repairing a portion of the highways leading from Loon Lake to Bloomingdale known as the 'Long Crossway' in said town, and to provide for the payment of the principal and interest thereof" (Int. No. 256), was read the second time.

On motion of Mr. Matthews, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2160) entitled "An act to amend chapter six hundred and eighty-six of the Laws of eighteen hundred and ninety-four, entitled, as amended, 'An act for the preservation of macadamized and other public highways in the counties of Queens and Nassau,' by exempting certain roads from certain of the provisions thereof" (Int. No. 1602), was read the second time.

On motion of Mr. Miller, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2192) entitled "An act to amend the Town Law, in relation to assessors' clerks in certain towns of the county of Nassau" (Int. No. 1629), was read the second time.

On motion of Mr. Miller, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2229) entitled "An act to amend the Town Law, in relation to notice of special town meetings" (Int. No. 1637), having been announced for second reading, Mr. Miller moved to amend as follows:

On page 1, line 9, strike out the word "thirty" and insert in place thereof the word "twenty".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the second time, and on motion of Mr. Miller was ordered reprinted and placed on the order of third reading and referred to the committee on revision.

The bill (No. 1887) entitled "An act to annex to union free school district number twenty-one of the town of Hempstead, Nassau county, a part of the territory of union free school district

number eleven of the town of Hempstead " (Int. No. 1474), was read the second time.

On motion of Mr. Miller, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2233) entitled "An act to amend chapter three hundred and ninety-four of the Laws of nineteen hundred and four, entitled 'An act to create and establish the office of commissioner of elections in the county of Erie and prescribing his duties,' relating to the commissioner of elections " (Int. No. 1542), having been announced for a second reading,

On motion of Mr. Hammond, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 816) entitled "An act to amend the Highway Law, relating to the cutting and removal of noxious weeds and brush and providing for the same when the highway is in the boundary lines between two or more towns " (Int. No. 750), was read the second time.

On motion of Mr. Stratton, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 225) entitled "An act to amend chapter sixty-six of the Laws of nineteen hundred and six, entitled 'An act to make the office of sheriff of the county of Warren a salaried office,' by increasing the number of deputies " (Int. No. 225), was read the second time.

On motion of Mr. Waddell, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1855) entitled "An act to amend chapter two hundred and twenty-three of the Laws of eighteen hundred and ninety, entitled 'An act to authorize towns to raise money to defray the expenses of the proper observance of Memorial or Decoration Day,' relative to the duties of town boards " (Int. No. 1450), was read the second time.

On motion of Mr. F. G. Whitney, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1670) entitled "An act to amend the County Law, in relation to properly marking the graves of honorably discharged soldiers, sailors and marines " (Int. No. 1338), having been an-

nounced for second reading, Mr. Stratton moved to amend as follows:

On page 1, line 10, before the word "which" insert "and who was buried in the county wherein he resided at the time of his death".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the second time, and, on motion of Mr. F. G. Whitney, was ordered reprinted and placed on the order of third reading and referred to the committee on revision.

The bill (No. 2164) entitled "An act to amend chapter two hundred and forty-two of the Laws of nineteen hundred and six, entitled 'An act to amend, revise and consolidate the charter of the village of Ossining, and to extend the boundaries of said village'" (Int. No. 1606), was read the second time.

On motion of Mr. Apgar, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1173) entitled "An act to protect the purchasers on sales of real estate where the deed was executed by an attorney-in-fact prior to January first, eighteen hundred and seventy-five" (Int. No. 1014), was read the second time.

On motion of Mr. Dobbs, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1858) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section three of article two of the Constitution, in relation to the qualification of certain voters" (Int. No. 1271), was read the second time.

On motion of Mr. Chamberlain, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1717) entitled "An act to prohibit the making or publishing of false or exaggerated statements or publications of or concerning the affairs, pecuniary condition or property of any corporation, joint stock association, copartnership or individual, which said statements or publications are intended to give, or shall have a tendency to give, a less or greater apparent value to the shares, bonds or property, or part thereof, of said corporation, joint stock association, copartnership or individual, than the said shares,

bonds or property shall really and in fact possess, and providing a penalty therefor" (Int. No. 1359), was read the second time.

On motion of Mr. Culliver, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1157) entitled "An act to enable John Montgomery to be admitted to practice as an attorney and counsellor at law of the Supreme Court of the State of New York" (Int. No. 1000), was read the second time.

On motion of Mr. Hoey, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2154) entitled "An act to amend chapter four hundred and twenty-one of the Laws of eighteen hundred and fifty-five, entitled 'An act to regulate the liability of hotel-keepers and owners and managers of steamboats navigating the waters of this State,' in relation to limiting the liability of hotel-keepers in certain cases" (Int. No. 1595), was read the second time.

On motion of Mr. Rogers, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2201) entitled "An act to amend chapter five hundred and sixty-eight of the Laws of eighteen hundred and ninety, entitled 'An act in relation to highways, constituting chapter nineteen of the general laws,' in relation to appeals" (Int. No. 903), was read the second time.

On motion of Mr. Northrup, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2255) entitled "An act to amend chapter five hundred and ninety-six of the Laws of eighteen hundred and seventy-four, entitled 'An act to incorporate the Manhattan Mortgage Company,' in relation to loans on real estate" (Int. No. 1567), was read the second time.

On motion of Mr. Wainwright, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2254) entitled "An act to amend the Election Law relative to form of ballots and canvass of the vote on voting machines" (Int. No. 1518), was read the second time.

On motion of Mr. Schoeneck, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 1038) entitled "An act to amend the For-

est, Fish and Game Law, in relation to the annual compilation of the law " (Rec. No. 215), was read the second time.

On motion of Mr. Wood, said bill was placed on the order of third reading.

The Senate bill (No. 989) entitled "An act to amend chapter three hundred and fifteen of the Laws of eighteen hundred and ninety-five, entitled 'An act to amend and consolidate the several acts relating to the village of Ilion,' relative to salaries of policemen" (Rec. No. 208), was read the second time.

On motion of Mr. Ferguson, said bill was placed on the order of third reading.

The Senate bill (No. 1045) entitled "An act in relation to the Medical Society of the State of New York" (Rec. No. 194), was read the second time.

On motion of Mr. Prentice, said bill was placed on the order of third reading.

The Senate bill (No. 1023) entitled "An act to amend the County Law, in relation to the custody and care of minors in county jails" (Rec. No. 186), was read the second time.

On motion of Mr. Parker, said bill was placed on the order of third reading.

The Senate bill (No. 74) entitled "An act to legalize the proceedings of the town board and board of highway commissioners of the town of West Seneca, Erie county, New York, in constructing sewers in Edson street, Duerstein avenue and Burch avenue, in said town of West Seneca, and making assessments therefor" (Rec. No. 98), was read the second time.

On motion of Mr. Patton, said bill was placed on the order of third reading.

The Senate bill (No. 612) entitled "An act to make the office of the county clerk of the county of Fulton a salaried office, and to provide for the conduct of said office" (Rec. No. 139), having been announced for a second reading,

On motion of Mr. Lee, said bill was recommitted to the committee on internal affairs, retaining its place on the order of second reading.

The Senate bill (No. 1018) entitled "An act to amend an act, entitled 'An act to provide for supplying the village of White Plains with water and authorizing the issue of bonds therefor and

to create a board of water commissioners for said village, being chapter seven hundred and sixty-nine of the Laws of eighteen hundred and ninety-six" (Rec. No. 181), was read the second time.

On motion of Mr. Wainwright, said bill was placed on the order of third reading.

The Senate bill (No. 783) entitled "An act to amend the State Charities Law, in relation to the visitations and reports of managers of State charitable institutions" (Rec. No. 135), was read the second time.

On motion of Mr. Whitley, said bill was placed on the order of third reading.

The Senate bill (No. 978) entitled "An act to amend chapter one hundred and twenty of the Laws of eighteen hundred and eighty-one, entitled 'An act concerning certain records in the office of the Secretary of State and of the Comptroller,' relative to filing certain election returns and files in the State Library" (Rec. No. 179), was read the second time.

On motion of Mr. Parker, said bill was placed on the order of third reading.

The Senate bill (No. 764) entitled "An act to incorporate the Hebrew Free Loan Association" (Rec. No. 195), was read the second time.

On motion of Mr. Eagleton, said bill was placed on the order of third reading.

The Senate returned the Assembly bill (No. 993, Senate reprint No. 847, Int. No. 893) entitled "An act in relation to certain grade crossings in the city of Utica," with a message that they have concurred in the passage of the same, with the following amendments:

Strike out all of said bill and insert in lieu thereof the following:

AN ACT in relation to certain grade crossings in the city of  
Utica.

*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

Section 1. Upon the petition of the mayor and common council of the city of Utica pursuant to section sixty-two of the railroad

law, as amended by chapter three hundred and fifty-nine of the laws of eighteen hundred and ninety-nine, for the abolition of the grade crossings in such city of the New York Central and Hudson river railroad at Genesee street, and at either Park avenue or Mohawk street, the state board of railroad commissioners shall immediately, in the manner provided by said section sixty-two of the railroad law, appoint a time and place for a hearing on the petition, conduct such hearing and render its decision as to the manner in which the grade crossings in such city above specified shall be changed. The rendering of such decision by the state board of railroad commissioners shall not, notwithstanding any other provision of law, be deemed a contracting of indebtedness or an assumption to bind the state. Such decision shall be full and sufficient authority for such city and for the corporations owning or controlling such railroads to proceed to make such changes in the manner provided by law and in accordance with such decision.

§ 2. In any proceedings taken in or by said city of Utica to acquire the lands, rights and easements specified in section sixty-three of the railroad law, the actual damages, if any, of owners in fee abutting on said street or highway, (and not including tenants under lease) for deprivation of access to their property and injury to light or other easements, shall be determined, allowed and paid in the same manner as the other damages now specified under said section sixty-three; and all claims therefor shall be filed as required by section sixty-five of said railroad law.

§ 3. This act shall take effect immediately.

Mr. Hart moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith M, ron

Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Wadde.l
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 870, Senate reprint No. 1221, Int. No. 805) entitled "An act to provide for the paving and improvement of certain streets in the village of Green Island, Albany county, New York, and to provide for the method and means of paying therefor," with a message that they have concurred in the passage of the same, with the following amendments:

On page 2, line 10, strike out "either".

Same page, line 11, after "contract" strike out all down to and including the word "same", line 13, same page.

Same page, line 13, after "sum" insert "not".

Same page, line 15, after "six" insert "If such private contract is not made then the said public improvement commission is authorized to ask for bids and after due advertisement to enter into contract with the lowest bidder."

Mr. Waters moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Vos3
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1273, Senate reprint No. 1167, Int. No. 910) entitled "An act to provide for a commission to investigate the condition of the National Guard of the State of New York," with a message that they have concurred in the passage of the same, with the following amendments:

On page 2, line 8, strike out "four" and insert in lieu thereof "three".

Same page, line 9, strike out "two" and insert in lieu thereof "three".

Same page, line 10, before "president" insert "temporary".

Same page, line 22, strike out "fifteen" and insert in lieu thereof "ten".

Same page and line, strike out "fifteen thousand" and insert in lieu thereof "ten thousand".

Mr. Wainwright moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Dowling	Hackett			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1516, Senate re-print No. 1202, Int. No. 410) entitled "An act to amend the Agricultural Law, in relation to selling and shipping milk and cream," with a message that they have concurred in the passage of the same, with the following amendment:

Page 3, line 1, after "delivering" insert "milk".

Mr. Boshart moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colne	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

Mr. Parker offered for the consideration of the House a resolution, in the words following:

Resolved, That there be printed three thousand additional copies of Assembly document No. 53, constituting the report of the New York State Commission to investigate the condition of the Blind; two hundred and fifty copies to be bound in cloth, the balance in paper. That said additional copies be distributed, one thousand to said commission, one thousand to the State Library and one thousand to the Legislature.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Todd
Buckley	Flanagan	Hooper	Northrup	Volk
Burhyte	Foley C F	Hubbs	Norton	Voss
Burns	Foley J A	Hurd	O'Brian	Waddell
Burzynski	Fowler	Jackson	Oliver	Wagner
Cavanaugh	Francis	Keller	Parker	Walters
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Mr. Wainwright offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1330, Int. No. 961) entitled "An act to amend chapter eight hundred and eighteen of the Laws of eighteen hundred and sixty-eight, entitled 'An act to incorporate the village of Port Chester,' in relation to actions for damages arising from snow and ice upon sidewalks, crosswalks and streets in said village," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. F. G. Whitney offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1558, Int. No. 1265) entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' in relation to the liability of the city," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Wood offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1912, Int. No. 1319) entitled "An act to amend chapter eight hundred and thirty-four of the Laws of eighteen hundred and sixty-nine, entitled 'An act to amend the act incorporating the village of Carthage, in the county of Jefferson,' generally," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *April 18, 1907.*

Resolved (if the Assembly concur), That a respectful message be sent to the mayor of the city of New York, requesting the return of Senate bill (No. 761, Rec. No. 158), entitled "An act to amend the Greater New York charter by enacting a new section, to be known as section eight hundred and twenty-three-e, relative to the acquirement of certain water front property between Montgomery street and East Sixteenth street, on the East river, borough of Manhattan, city of New York," for the purpose of amendment.

By order of the Senate,

LAFAYETTE B. GLEASON,  
*Clerk.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *April 18, 1907.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 127, Rec. No. 64), entitled "An act to amend the Greater New York charter, relative to the salary of the clerk for the children's court, second division, borough of Brooklyn," for the purpose of amendment.

By order of the Senate,

LAFAYETTE B. GLEASON,  
*Clerk.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *April 18, 1907.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 545, Rec. No. 103), entitled "An act to amend chapter sixty-three of the Laws of nineteen hundred and two, entitled 'An act to incorporate the city of Fulton,' relative to the compensation of city officers," for the purpose of amendment.

By order of the Senate,

LAFAYETTE B. GLEASON,  
*Clerk.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *April 18, 1907.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 679, Rec. No. 131), entitled "An act to amend the railroad law, in relation to the consents of local authorities," for the purpose of amendment.

By order of the Senate,

LAFAYETTE B. GLEASON,  
*Clerk.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the Assembly bill (No. 845, Senate reprint No. 981, Int. No. 710) entitled "An act making appropriations for the support of government," with a message that they have concurred in the passage of the same, with the following amendments:

By striking out all after the enacting clause and substituting therefor Senate bill No. 981.

Mr. Rogers moved to nonconcur in the amendments of the Senate thereto, and request the appointment of a committee of conference thereon.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have nonconcurred in the amendments of the Senate thereto, and request the appointment of a committee of conference thereon.

The Senate returned the bill (No. 1085, Int. No. 302) entitled "An act to amend the Real Property Law in relation to parties to a proceeding where real property affected by a trust is conveyed, mortgaged or leased."

Also, the bill (No. 1425, Int. No. 1180) entitled "An act to fix the salary of a district attorney of Suffolk county hereafter elected."

Also, the bill (No. 1732, Int. No. 1284) entitled "An act to amend chapter three hundred and fifty of the Laws of eighteen hundred and sixty-six, entitled 'An act to incorporate the Young Men's Christian Association of the City of New York,' in relation to the amount of property to be held by such association."

Also, the bill (No. 838, Int. No. 773) entitled "An act to amend the Highway Law, in relation to the qualified abandonment of highways."

Also, the bill (No. 1134, Int. No. 418) entitled "An act to amend the Code of Civil Procedure, in relation to the sale of perishable property levied upon by virtue of an execution."

Also, the bill (No. 1443, Int. No. 1198) entitled "An act to create and establish the office of commissioner of elections in the county of Westchester, and prescribing his duties."

Also, the bill (No. 1514, Int. No. 414) entitled "An act to amend the Code of Civil Procedure, in relation to sheriffs' fees, and placing causes on the calendar."

Also, the bill (No. 493, Int. No. 480) entitled "An act to amend chapter four hundred and fifty-one of the Laws of nineteen hundred, entitled 'An act authorizing the establishment of water districts in towns,' in relation to the procedure for creating such districts."

Also, the bill (No. 1591, Int. No. 1053) entitled "An act to amend the Code of Civil Procedure, relative to the records of the weather taken at the Arsenal, Central park, New York city, the meteorological and astronomical observatory, being presumptive evidence."

Also, the bill (No. 1655, Int. No. 1085) entitled "An act authorizing a referendum to the resident taxpayers of Chautauqua county on certain classes of appropriations by the board of supervisors."

Also, the bill (No. 1914, Int. No. 1162) entitled "An act to amend chapter two hundred and thirty-two of the Laws of nineteen hundred and four, entitled 'An act relating to commissioners of jurors for each county of the State having a certain population and regulating and prescribing his duties and also providing in what manner juries shall be made up and jurors drawn in courts of record in such counties; how they may be exempted or

excused and the length of service of such jurors,' relative to compensation of assessors."

Also, the bill (No. 1214, Int. No. 1050) entitled "An act to legalize the bonds of union free school district number seven, of the town of Cornith, Saratoga county, New York, in the amount of twenty thousand dollars, sold for the purpose of defraying the expense of building two new schoolhouses in said district, and to provide for the payment of said bonds."

Also, the bill (No. 1570, Int. No. 699) entitled "An act to amend the Tax Law, in relation to taxable transfers."

Also, the bill (No. 1733, Int. No. 1285) entitled "An act to amend chapter two hundred and forty-one of the Laws of eighteen hundred and eighty-three, entitled 'An act to incorporate the International Committee of Young Men's Christian Associations,' in relation to amount of property to be held by such committee," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill (No. 89, Int. No. 89) entitled "An act authorizing the police commissioner of the city of New York to appoint John W. Pinkley, an ex-policeman of the city of New York, who resigned from said police department, November twenty-fourth, eighteen hundred and ninety-seven," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 2115, Int. No. 947) entitled "An act in furtherance of the commission heretofore created to confer with the Governor and Legislature of the State of New Jersey for the purpose of developing a system of transit between the city of New York and the State of New Jersey, extending its powers and making an appropriation therefor," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 328, Int. No. 327) entitled "An act for the relief of Eugene Lentilhon in payment for work done for and material furnished to the city of New York," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 1722, Int. No. 843) entitled "An act to amend chapter three hundred and fifty-nine of the Laws of eighteen hundred and ninety-seven, entitled 'An act to incorporate the city of Rensselaer,' in relation to payment of the salaries of policemen and meetings of police commissioners," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Rensselaer.

The Senate returned the bill (No. 1073, Int. No. 940) entitled "An act to amend chapter three hundred and fifty-nine of the Laws of eighteen hundred and ninety-seven, entitled 'An act to incorporate the city of Rensselaer,' relative to criminal expenses chargeable to the county of Rensselaer," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Rensselaer.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1558, Int. No. 1265) entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' in relation to the liability of the city," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1912, Int. No. 1319) entitled "An act to amend chapter eight hundred and thirty-four of the Laws of eighteen hundred and sixty-nine, entitled 'An act to amend the act incorporating the village of Carthage, in the county of Jefferson, generally,' with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1330, Int. No. 961) entitled "An act to amend chapter eight hundred and eighteen of the Laws of eighteen hundred and sixty-eight, entitled 'An act to incorporate the village of Portchester,' in relation to actions for damages arising from snow and ice upon sidewalks, crosswalks and streets in said village," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication was received from Hon. H. H. Woodburn, mayor of the city of Binghamton, returning Assembly bill (No. 1078, Int. No. 945) entitled "An act to authorize the city of Binghamton to expend a sum of money, not exceeding seventy thousand dollars, for the improvement and regulation of the flow of the Chenango river at the city of Binghamton, New York, and to issue bonds therefor," with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Charles D. Robinson, mayor of the city of Newburgh, returning Assembly bill (No. 1565, Senate reprint No. 1111, Int. No. 1272) entitled "An act to establish a police pension fund for the city of Newburgh," with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. John M. Foster, mayor of the city of Fulton, returning Assembly bill (No. 1669, Int. No. 1337) entitled "An act to authorize the city of Fulton to borrow money for the purchase of new hose for the fire department of such city," with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. J. N. Adam, mayor of the city of Buffalo, returning Assembly bill (No. 1811, Int. No. 1421) entitled "An act authorizing the city of Buffalo to

borrow money by bond issues for the purpose of refunding to corporations sums paid by them to said city, as taxes upon their special franchises, in excess of what such taxes would have been if the assessments had been made as determined by final orders in certiorari proceedings to review such assessments," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Rogers, the House adjourned.

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FRIDAY, APRIL 19, 1907.

The House met pursuant to adjournment.

Prayer by Rev. George W. Furbeck.

On motion of Mr. Moreland, the reading of the journal of yesterday was dispensed with, and the same was approved.

Mr. Speaker presented the annual report of the Board of Managers of the Eastern New York Reformatory, which was laid upon the table and ordered printed.

(See Document.)

The Senate sent for concurrence the following entitled bills:

"An act to amend the Insanity Law, relative to the erection, alteration, repairs and improvements of State hospital buildings" (No. 1257, Rec. No. 270), which was read the first time and referred to the committee on ways and means.

"An act to repeal chapter one hundred and thirty-three of the Laws of nineteen hundred and two, entitled 'An act to provide for the election, and to prescribe the terms and compensation of the town trustees of the town of Southampton, in the county of Suffolk, and legalizing payment of compensation to the present and former trustees'" (No. 1248, Rec. No. 271), which was read the first time and referred to the committee on internal affairs.

"An act to provide for the taxation for school purposes of the lands owned by the State and situate within the boundaries of school district number five of the town of Smithtown, Suffolk county" (No. 701, Rec. No. 272), which was read the first time and referred to the committee on taxation and retrenchment.

"An act making an appropriation for the quarantine station at Swinburne island " (No. 220, Rec. No. 273), which was read the first time and referred to the committee on ways and means.

"An act making an appropriation for the quarantine station at Hoffman island " (No. 223, Rec. No. 274), which was read the first time and referred to the committee on ways and means.

"An act to amend chapter three hundred of the Laws of nineteen hundred and four, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls' " (No. 1274, Rec. No. 275), which was read the first time and referred to the committee on affairs of cities.

"An act to incorporate the Long Sault Development Company, and to authorize said company to construct and maintain dams, canals, power-houses and locks at or near Long Sault island, for the purpose of improving the navigation of the Saint Lawrence river and developing power from the waters thereof, and to construct and maintain a bridge, and carry on the manufacture of commodities " (No. 1137, Rec. No. 276), which was read the first time.

On motion of Mr. Merritt, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Merritt, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 103

NOES 2

Those who voted in the affirmative were:

Allen	Dominy	Haines	Miller	Smith Myron
Apgar	Donnelly	Hamilton	Mills	Staley
Baldwin	Draper	Hammond	Morgan	Stern
Baumann	Duell	Harawitz	Murphy C F	Stevenson
Blue	Eagleton	Harris	Murphy G W	Stratton
Bohan	Eichhorn	Hart	Northrup	Todd
Brady	Farrell	Hastings	Norton	Volk

Brooks	Ferguson	Hoey	Oliver	Waddell
Brough	Filley	Hooper	Patton	Wagner
Buckley	Flanagan	Hurd	Phillips	Wainwright
Burhyte	Foley J A	Huth	Prentice	Walters
Burns	Francis	Jackson	Prince	Weber
Burzynski	Ganly	Lee	Ralston	Weimert
Chamberlain	Garbe	Lewis	Robinson	Wells
Cole	Geoghagan	Loos	Schmidt	West
Collins	Glore	Lupton	Schoeneck	Whitney G H
Conklin	Gluck	Maher	Schwegler	Winters
Croak	Goldberg	Mance	Shuttleworth	Wood
Cunningham	Gray	Matthews	Sinclair	Yale
Cuvillier	Gunderman	McCue	Smith A E	Young
Dobbs	Hackett	Merritt		

Those who voted in the negative were:

Foley C F      Moreland

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

“An act to amend chapter one hundred and twenty-seven of the Laws of eighteen hundred and sixty-six, entitled ‘An act relative to the collection of taxes in the town of Oswegatchie, in the county of Saint Lawrence,’ in relation to the manner of collecting such taxes” (No. 1260, Rec. No. 277), which was read the first time and referred to the committee on internal affairs.

“An act to amend section four hundred and one of the Penal Code, relative to certain offenses connected with the dispensing and sale of drugs and medicines” (No. 1254, Rec. No. 278), which was read the first time and referred to the committee on codes.

“An act to release certain State lands to the city of Middletown and town of Wallkill, respectively, in the county of Orange, upon certain conditions” (No. 1102, Rec. No. 279), which was read the first time and referred to the committee on affairs of cities.

Mr. Dominy introduced a bill entitled “An act to provide for the employment of convicts on the highways contiguous to lands owned by the State in the town of Dannemora in Clinton county” (Int. No. 1740), which was read the first time and referred to the committee on ways and means.

Mr. Glynn introduced a bill entitled “An act to extend the boundaries of the city of Rochester, and to include therein a portion of the town of Brighton, and changing the boundaries of the

eighteenth ward of said city " (Int. No. 1741), which was read the first time and referred to the committee on affairs of cities.

Mr. Lowe introduced a bill entitled "An act to assist in developing the commerce of the State by the extension and improvement of the channel of the Black River canal and making an appropriation therefor (Int. No. 1742), which was read the first time and referred to the committee on ways and means.

Mr. Matthews introduced a bill entitled "An act to amend the Domestic Relations Law, in relation to actions by married women " (Int. No. 1743), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Agricultural Law, relative to the destruction of animals and disposal of their carcasses " (Int. No. 1744), which was read the first time and referred to the committee on agriculture.

Mr. Sinclair introduced a bill entitled "An act to amend chapter ninety of the Laws of eighteen hundred and forty-six, entitled 'An act to incorporate the Hudson Orphan and Relief Association,' generally " (Int. No. 1745), which was read the first time and referred to the committee on the judiciary.

Mr. Stanton introduced a bill entitled "An act to legalize the acts of Addison S. Pratt, a notary public " (Int. No. 1746), which was read the first time and referred to the committee on the judiciary.

Also, "An act for the relief of the Chapin Home for the Aged and Infirm, to authorize a sale, grant and conveyance of certain property from the city of New York to said The Chapin Home for the Aged and Infirm, and to authorize the sale, grant, conveyance or lease of the property by The Chapin Home for the Aged and Infirm " (Int. No. 1747), which was read the first time and referred to the committee on affairs of cities.

Mr. Wainwright introduced a bill entitled "An act to amend chapter three hundred and forty-two of the Laws of nineteen hundred and two, entitled 'An act to make the office of supervisor in the county of Westchester a salaried office, and to regulate the sessions of the board of supervisors in said county,' in relation to the compensation, mileage and expenses of the supervisors of Westchester county " (Int. No. 1748), which was read the first time and referred to the committee on internal affairs.

Also, "An act to enable and empower the village of Rye, in the county of Westchester, to expend for the purchase and acquisition of real property within the territorial limits of the said village, for a public park, a sum of money not exceeding two and one-half per centum of the value of the taxable property of the village, as appears by the last preceding assessment-roll, and to establish, manage and maintain such park" (Int. No. 1749), which was read the first time and referred to the committee on affairs of villages.

Mr. Stanton introduced a bill entitled "An act to authorize the board of estimate and apportionment of the city of New York, in its discretion, to examine, audit and allow the alleged claims of Robert Bishop, doing business as Robert Bishop Manufacturing Company, who furnished supplies under request, order or direction of the fire department of the city of New York" (Int. No. 1750), which was read the first time and referred to the committee on affairs of cities.

Mr. Brady introduced a bill entitled "An act to amend the State Printing Law, relative to printing of legislative journals" (Int. No. 1751), which was read the first time and referred to the committee on public printing.

Mr. Duell introduced a bill entitled "An act to empower the common council of the city of New Rochelle to issue and sell bonds for the purpose of defraying the expense of certain public improvements" (Int. No. 1752), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Dobbs introduced a bill entitled "An act to amend section one thousand three hundred and forty-two of the charter of the city of New York, relating to the construction of alterations of buildings or structures on the same lots with tenement-houses" (Int. No. 1753), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Phillips introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to awarding costs to an unsuccessful contestant of a will" (Int. No. 1754), which was read the first time and referred to the committee on codes.

Mr. Dowling, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Sheridan (No. 2245,

Int. No. 1651), entitled "An act to amend certain sections of the Greater New York charter revised as amended, relating to the acquisition of lands for public use, and the disposition of buildings and improvements thereon," reported the following substitute bill:

(See Appendix No. 30½.)

and request that said substitute bill be recommitted to said committee, which report was agreed to, and said substitute bill ordered reprinted and recommitted to said committee.

Mr. Rogers, from the committee on insurance, to which was referred Assembly bill (No. 1878, Int. No. 1465) introduced by Mr. Whitney, entitled "An act to amend the Insurance Law, in relation to discriminations in life and endowment insurance premiums, and to the privileges and protections to be accorded witnesses in all actions or proceedings involving such discriminations," reported in favor of the passage of the same, with the following amendments:

Page 1, line 4, before the word "is" insert "as amended by chapter three hundred and twenty-six of the laws of nineteen hundred and six,".

Page 2, line 2, after the period and before the bracket insert: "No premium upon any policy of life insurance issued on or after January first, nineteen hundred and seven, shall be charged for term insurance for one year, higher in amount than the premium for term insurance for one year at the same age under any other form of policy issued by such corporation."

Page 3, line 14, after the period insert "No premium upon any policy of life insurance issued on or after January first, nineteen hundred and seven, shall be charged for term insurance for one year, higher in amount than the premium for term insurance for one year at the same age under any other form of policy issued by such corporation."

Page 3, line 20, after the word "refrain" insert a comma.

Page 3, line 21, strike out the line after the period and lines 22 to 26, both inclusive.

Page 4, strike out lines 1 to 6, both inclusive.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Rogers, from the committee on insurance, to which was referred Assembly bill introduced by Mr. Wells (No. 1781, Int.

No. 1401), entitled "An act to amend chapter six hundred and ninety of the Laws of eighteen hundred and ninety-two, entitled 'An act in relation to insurance corporations, constituting chapter thirty-eight of the general laws,' as amended by chapter five hundred and forty-three of the Laws of nineteen hundred and four and by chapter three hundred and twenty-six of the Laws of nineteen hundred and six, relating to securities guaranty corporations," reported in favor of the passage of the following substitute bill:

(See Appendix No. 31.)

which report was agreed to, and said substitute bill ordered printed and placed on the order of second reading.

Mr. Apgar, from the committee on internal affairs, to which was referred Assembly bill introduced by Mr. Nevins (No. 2330, Int. No. 1687), entitled "An act to amend chapter one hundred and sixty-seven of the Laws of nineteen hundred and six, entitled 'An act to make the office of county clerk of Wyoming county a salaried office, and regulating the management of said office,' generally," retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. Apgar, from the committee on internal affairs, to which was recommitted Assembly bill introduced by Mr. Green (No. 2032, Int. No. 971), entitled "An act to amend chapter seven hundred and six of the Laws of nineteen hundred and one, relative to additional clerks and assistants in the office of the register of the county of Kings, and fixing the compensation thereof," reported in favor of the passage of the same, with the following amendments:

Page 2, line 9, strike out the word "three".

Page 2, line 10, strike out all the line to the word "one".

Page 2, line 11, enclose the word "fifteen" in brackets and insert in place thereof the word "eighteen".

Page 2, line 12, enclose the word "twelve" in brackets and insert in place thereof the word "fifteen".

Page 2, line 12, strike out the bracket.

Page 3, line 2, enclose the word "twelve" in brackets and insert in place thereof the word "fifteen".

which report was agreed to, and said bill ordered reprinted and placed on the order of second reading.

Mr. G. H. Whitney, from the committee on public health, to which was referred Assembly bill introduced by Mr. G. H. Whitney (No. 2194, Int. No. 1632), entitled "An act to amend the Public Health Law, in relation to the cutting and sale of ice," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Northrup (No. 2201, Int. No. 903), entitled "An act to amend chapter five hundred and sixty-eight of the Laws of eighteen hundred and ninety, entitled 'An act in relation to highways, constituting chapter nineteen of the general laws,' in relation to appeals."

Also, the bill introduced by Mr. Stratton (No. 689, Int. No. 646), entitled "An act to amend the Village Law, relative to powers, duties and fees of policemen."

Also, the bill introduced by Mr. Norton (No. 371, Int. No. 366), entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for grouse, woodcock, quail and squirrels, in the county of Washington."

Also, the bill introduced by Mr. Merritt (No. 1353, Int. No. 1133), entitled "An act to amend the Forest, Fish and Game Law, in relation to private parks, and repealing certain sections thereof."

Also, the bill introduced by Mr. Merritt (No. 1354, Int. No. 1134), entitled "An act to amend the Forest, Fish and Game Law, in relation to protection against forest fires."

Also, the bill introduced by Mr. Draper (No. 726, Int. No. 669), entitled "An act to authorize the town of Lewiston, Niagara county, to pay a certain portion of the expense of improving the highway from Lewiston to Dickersonville."

Also, the bill introduced by Mr. Rogers (No. 2326, Int. No. 1682), entitled "An act to authorize the board of supervisors of Broome county to pay certain accounts incurred in connection with the centennial celebration in said county, and to levy a tax therefor."

Also, the bill introduced by Mr. Rogers (No. 2154, Int. No. 1595), entitled "An act to amend chapter four hundred and twenty-one of the Laws of eighteen hundred and fifty-five, entitled 'An act to regulate the liability of hotel-keepers and owners and managers of steamboats navigating the waters of this State,' in relation to limiting the liability of hotel-keepers in certain cases."

Also, the bill introduced by Mr. Dobbs (No. 1173, Int. No. 1014), entitled "An act to protect the purchasers on sales of real estate where the deed was executed by an attorney in fact prior to January first, eighteen hundred and seventy-five."

Also, the bill introduced by Mr. Wainwright (No. 2255, Int. No. 1567), entitled "An act to amend chapter five hundred and ninety-six of the Laws of eighteen hundred and seventy-four, entitled 'An act to incorporate the Manhattan Mortgage Company,' in relation to loans on real estate."

Also, the bill introduced by Mr. Miller (No. 1887, Int. No. 1474), entitled "An act to annex to union free school district number twenty-one of the town of Hempstead, Nassau county, a part of the territory of union free school district number eleven of the town of Hempstead."

Also, the bill introduced by Mr. Hoey (No. 1157, Int. No. 1000), entitled "An act to enable John Montgomery to be admitted to practice as an attorney and counselor-at-law of the Supreme Court of the State of New York."

Also, the bill introduced by Mr. Parker (No. 2083, Int. No. 1570), entitled "An act to amend chapter three hundred and seventy-one of the Laws of eighteen hundred and ninety-three, entitled 'An act, to revise and consolidate the several acts in relation to the village of Dansville, and to revise and amend the charter of said village and to repeal certain acts and parts of acts,' generally."

Also, the bill introduced by Mr. Matthews (No. 257, Int. No. 256), entitled "An act to legalize the issuing of bonds of the town of Franklin, in the county of Franklin, authorized by the board of supervisors of said county, for the purpose of defraying the expense of filling in and repairing a portion of the highway leading from Loon lake to Bloomingdale, known as the 'Long

'Crossway,' in said town, and to provide for the payment of the principal and interest thereof."

Also, the bill introduced by Mr. Chamberlain (No. 1858, Int. No. 1271), entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to section three of article two of the Constitution, in relation to the qualification of certain voters," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Miller (No. 2160, Int. No. 1602), entitled "An act to amend chapter six hundred and eighty-six of the Laws of eighteen hundred and ninety-four, entitled, as amended, 'An act for the preservation of macadamized and other public highways in the counties of Queens and Nassau,' by exempting certain roads from certain of the provisions thereof," reported the same with the following recommendations:

On page 1, in second line of title, strike out ", as amended,".

On page 1, in fourth line of title, strike out "by" and insert in place thereof "in relation to".

On page 1, line 3, strike out "and other".

On page 2, line 7, after "kind" strike out comma.

On page 2, line 15, strike out "Row" and insert in place thereof "road". Same page and line, after "street" strike out comma and insert in place thereof semicolon.

On page 2, line 21, after "county" italicize semicolon.

On page 3, line 1, italicize "a" in "Main".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. F. G. Whitney (No. 1855, Int. No. 1450), entitled "An act to amend chapter two hundred and twenty-three of the Laws of eighteen hundred and ninety, entitled 'An act to authorize towns to raise money to defray the expenses of the proper observance of Memorial or Decoration day,' relative to the duties of town boards," reported the same with the following recommendations:

On page 2, line 5, strike out "one" and insert in place thereof "two".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Schoeneck (No. 254, Int. No. 1518), entitled "An act to amend the Election Law relative to form of ballots and canvass of the vote on voting machines," reported the same with the following recommendations:

On page 1, in title, after "law" insert comma.

On page 1, line 3, after "six" insert comma. Same page and line, after "selections" insert comma.

On page 1, line 4, after "laws" insert comma. Same page and line, strike out "added" and insert in place thereof "inserted".

Same page and line, strike out "five hundred" and insert in place thereof "four hundred and sixty-six of the laws of eighteen hundred and ninety-nine,".

On page 1, line 5, strike out "and thirty of the laws of nineteen hundred and one".

On page 2, line 15, strike out "the".

On page 2, line 16, strike out "added" and insert in place thereof "inserted". Same page and line, strike out "five hundred and thirty of the laws of nine-" and insert in place thereof "four hundred and sixty-six of the laws of eighteen hundred and ninety-nine,".

On page 2, line 17, strike out "teen hundred and one".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Miller (No. 2192, Int. No. 1629), entitled "An act to amend the Town Law, in relation to assessors' clerks in certain towns of the county of Nassau," reported the same with the following recommendations:

On page 1, line 1, strike out "sevnty" and insert in place thereof "seventy".

On page 2, line 6, strike out "so".

On page 2, line 11, after "every" insert "week". Same page and line, after "except" insert "public".

On page 2, line 20, after "personal" strike out comma.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Averill (No. 1447, Int. No.

1202), entitled "An act to amend the Tax Law, in relation to the taxation of special franchises," reported the same with the following recommendations:

On page 1, in title, strike out "taxation" and insert in place thereof "description".

On page 1, line 4, strike out "amended" and insert in place thereof "inserted".

On page 2, line 1, after "[ " insert comma before "in".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Flanagan (No. 2207, Int. No. 1019), entitled "An act to empower the commissioners of estimate and appraisal to estimate and allow damages sustained by owners of real property fronting upon streets and avenues abutting or approaching the bridge between Jackson avenue, in the former town of Newtown, and Broadway, in the former town of Flushing, in the borough of Queens, city of New York," reported the same with the following recommendations:

On page 1, in first line of title, strike out "commissioners of estimate and appraisal" and insert in place thereof "board of assessors of the city of New York".

On page 1, in last line of title, strike out period and insert in place thereof "and to provide for payment of awards."

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Waddell (No. 225, Int. No. 225), entitled "An act to amend chapter sixty-six of the Laws of nineteen hundred and six, entitled 'An act to make the office of sheriff of the county of Warren a salaried office,' by increasing the number of deputies," reported the same with the following recommendations:

On page 1, in third line of title, strike out "by" and insert in place thereof "in relation to".

On page 3, line 10, strike out "such" and insert in place thereof "each".

On page 3, line 16, after "deputies" strike out comma.

On page 3, line 21, after "shall" insert "each".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Apgar (No. 2164, Int. No. 1606), entitled "An act to amend chapter two hundred and forty-two of the Laws of nineteen hundred and six, entitled 'An act to amend, revise and consolidate the charter of the village of Ossining, and to extend the boundaries of said village,'" reported the same with the following recommendations:

On page 2, line 4, after "exceeding" insert "[four]".

On page 2, line 10, strike out "paying" and insert in place thereof "paving".

On page 2, line 25, after "exceed" insert "[four]".

On page 3, line 17, after "exceed" insert "[four]".

On page 4, line 12, before "five" insert "[four]".

On page 4, line 23, after "exceed" insert "[four]".

On page 4, line 24, strike out second "the".

On page 5, line 10, after "exceed" insert "[four]".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Stratton (No. 816, Int. No. 750), entitled "An act to amend the Highway Law, relating to the cutting and removal of noxious weeds and brush and providing for the same when the highway is in the boundary lines between two or more towns," reported the same with the following recommendations:

On page 1, line 8, after "four" insert comma.

On page 1, line 9, after "five" insert comma.

On page 2, line 4, strike out "s" in "occupants".

On page 2, line 5, strike out "s" in "highways".

On page 2, line 6, strike out "s" in "highways".

On page 2, line 7, after "before" insert "the" inside of bracket.

On page 2, line 18, strike out second "s" in "obstructions".

On page 2, line 21, after "done" insert comma.

On page 2, line 23, italicize "and".

On page 3, line 6, after "owner" insert comma inside of bracket.

On page 3, line 14, after "supervisors" italicize comma.

On page 3, line 17, after "highway" insert "tax". Same page and line, strike out "next".

On page 4, line 1, after "towns" insert comma.

On page 4, line 8, after "neglecting" insert comma.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. West, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to enable John Montgomery to be admitted to practice as an attorney and counsellor at law of the Supreme Court of the State of New York." (No. 1157, Int. No. 1000.)

"An act to amend the Domestic Commerce Law, relative to unlawful detention of milk cans and courts having jurisdiction of violations." (No. 2219, Int. No. 858.)

"An act to amend the Greater New York charter, relative to the classification of criminals and misdemeanants." (No. 2311, Int. No. 1561.)

"An act to amend the Greater New York charter, relative to the publication and distribution of reports of city departments, the publication of contracts, new appointments and increase of salaries." (No. 2308, Int. No. 1491.)

"An act to amend the Lien Law, in relation to liens on personal property." (No. 2315, Int. No. 598.)

"An act to amend chapter five hundred and forty-six of the Laws of nineteen hundred and six, entitled 'An act to authorize the common council of the city of New Rochelle to issue and sell bonds of said city for the uses and purposes of the fire department of said city,' relative to the rate of interest to be paid on bonds." (No. 2307, Int. No. 1537.)

"An act to amend chapter two hundred and thirty-three of the Laws of eighteen hundred and eighty-four, entitled 'An act providing for the election and compensation of a coroner in the county of Onondaga, and for post-mortem examinations in coroners' cases in said county.'" (No. 2314, Int. No. 774.)

'An act to amend chapter three hundred and eighty-two of the Laws of eighteen hundred and fifty-seven, entitled 'An act in relation to schools and academies in the village of Ogdensburg,' in relation to the rate of taxation for school purposes." (No. 2310, Int. No. 1175.)

"An act to amend the Agricultural Law, in relation to selling and shipping milk and cream." (No. 2316, Int. No. 1549.)

"An act to amend chapter two hundred and thirty-six of the Laws of nineteen hundred and five, entitled 'An act to authorize the common council of the city of New Rochelle to procure an assessment map of said city, and to issue bonds in payment therefor,' relative to the rate of interest to be paid on bonds." (No. 2306, Int. No. 1538.)

"An act to amend chapter forty-four of the Laws of eighteen hundred and fifty-three, entitled 'An act for the better support of the poor, in the town of Newburgh, in the county of Orange,' in relation to said town receiving credit for excise moneys." (No. 2309, Int. No. 1521.)

"An act to amend chapter four hundred and eighty-eight of the Laws of eighteen hundred and ninety-nine, entitled 'An act authorizing the sale of property left in street surface railroad cars, and the disposition of the proceeds thereof,' relative to cabs, coaches, stages and other similar vehicles." (No. 2317, Int. No. 1295.)

"An act to authorize the town of Lewiston, Niagara county, to pay a certain portion of the expense of improving the highway from Lewiston to Dickersonville." (No. 726, Int. No. 669.)

"An act to annex to union free school district number twenty-one of the town of Hempstead, Nassau county, a part of the territory of union free school district number eleven of the town of Hempstead." (No. 1887, Int. No. 1474.)

"An act to authorize the board of supervisors of Broome county, to pay certain accounts incurred in connection with the centennial celebration in said county, and to levy a tax therefor." (No. 2326, Int. No. 1682.)

"An act to amend chapter four hundred and twenty-one of the Laws of eighteen hundred and fifty-five, entitled 'An act to regulate the liability of hotel-keepers and owners and managers of steamboats navigating the waters of this State,' in relation to limiting the liability of hotel-keepers in certain cases." (No. 2154, Int. No. 1595.)

"An act to amend the Forest, Fish and Game Law, in relation to

private parks and repealing certain sections thereof." (No. 1353, Int. No. 1133.)

"An act to protect the purchasers on sales of real estate where the deed was executed by an attorney-in-fact prior to January first, eighteen hundred and seventy-five." (No. 1173, Int. No. 1014.)

"An act to amend the Village Law, relative to powers, duties and fees of policeman." (No. 689, Int. No. 646.)

"An act to amend chapter five hundred and ninety-six of the Laws of eighteen hundred and seventy-four, entitled 'An act to incorporate the Manhattan Mortgage Company,' in relation to loans on real estate." (No. 2255, Int. No. 1567.)

"An act to amend chapter five hundred and sixty-eight of the Laws of eighteen hundred and ninety, entitled 'An act in relation to highways, constituting chapter nineteen of the general laws,' in relation to appeals." (No. 2201, Int. No. 903.)

"An act to amend the Forest, Fish and Game Law, in relation to protection against forest fires." (No. 1354, Int. No. 1134.)

"An act to amend the Forest, Fish and Game Law, in relation to the close season for grouse, woodcock, quail and squirrels in the county of Washington." (No. 371, Int. No. 366.)

The bill (No. 2195) entitled "An act to amend section one thousand one hundred and one of the Greater New York charter, relative to the appointment of teachers in the public schools" (Int. No. 1615), was read the second time.

On motion of Mr. Croak, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1585) entitled "An act to amend the Greater New York charter, in relation to police matrons" (Int. No. 1057), was read the second time.

On motion of Mr. Dobbs, said bill was placed on the order of third reading.

On motion of Mr. Dobbs, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 104

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Smith Myron
Apgar	Donnelly	Haines	Merritt	Staley
Baldwin	Draper	Hamilton	Miller	Stern
Baumann	Duell	Hammond	Moreland	Stevenson
Blue	Eagleton	Harawitz	Morgan	Stratton
Bohan	Eichhorn	Harris	Murphy C F	Todd
Brady	Farrell	Hart	Murphy G W	Volk
Brooks	Ferguson	Hastings	Northrup	Waddell
Brough	Filley	Hoey	Norton	Wagner
Buckley	Flanagan	Hooper	Oliver	Wainwright
Burhyte	Foley C F	Hurd	Patton	Walters
Burns	Foley J A	Huth	Phillips	Weber
Burzynski	Francis	Jackson	Prince	Weimert
Chamberlain	Ganly	Keller	Ralston	Wells
Cole	Garbe	Lee	Robinson	West
Collins	Geoghagan	Lewis	Schmidt	Whitney G H
Conklin	Glore	Loos	Schoeneck	Winters
Croak	Gluck	Lupton	Schwegler	Wood
Cunningham	Goldberg	Maher	Shuttleworth	Yale
Cuvillier	Gray	Mance	Sinclair	Young
Dobbs	Gunderman	Matthews	Smith A E	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2296) entitled "An act to amend the charter of the city of New Rochelle, in relation to the salary of the clerk of the board of education" (Int. No. 1671), was read the second time.

On motion of Mr. Duell, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No 2172) entitled "An act to provide for the widening of West First street, otherwise known as West Lincoln avenue, in the city of Mount Vernon, from South Eleventh avenue in said city, to the New York city line, and providing for the expense of said improvement" (Int. No. 1614), was read the second time.

On motion of Mr. Duell, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2313) entitled "An act to provide for the government and to supplement the provisions of law relating to the city of Schenectady" (Int. No. 1519), was read the second time.

On motion of Mr. Frisbie, said bill was placed on the order of third reading.

On motion of Mr. Frisbie, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 104

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Smith A F
Apgar	Donnelly	Haines	Merritt	Smith Myron
Baldwin	Draper	Hamilton	Miller	Staley
Baumann	Duell	Hammond	Moreland	Stern
Blue	Eagleton	Harawitz	Morgan	Stevenson
Bohan	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Todd
Brooks	Ferguson	Hastings	Northup	Volk
Brough	Filley	Hoey	Norton	Waddell
Buckley	Flanagan	Hooper	Oliver	Wagner
Burhyte	Foley C F	Hurd	Patton	Wainwright
Burns	Foley J A	Huth	Phillips	Weber
Burzynski	Francis	Jackson	Prentice	Weimert
Chamberlain	Ganly	Keller	Prince	Wells
Cole	Garbe	Lee	Ralston	West
Collins	Geoghagan	Lewis	Robinson	Whitney G H
Conklin	Glore	Loos	Schmidt	Winters
Croak	Gluck	Lupton	Schoeneck	Wood
Cunningham	Goldberg	Maher	Schwegler	Yale
Cuvillier	Gray	Mance	Shuttleworth	Young
Dobbs	Gunderman	Matthews	Sinclair	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1940) entitled "An act to fix and determine salaries of the city treasurer and city comptroller in the city of Yonkers" (Int. No. 1488), was read the second time.

On motion of Mr. Haines, said bill was placed on the order of third reading.

On motion of Mr. Haines, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 105

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sinclair
Apgar	Donnelly	Haines	Merritt	Smith A E
Baldwin	Draper	Hamilton	Miller	Smith Myron
Baumann	Duell	Hammond	Mills	Staley
Blue	Eagleton	Harawitz	Moreland	Stern
Bohan	Eichhorn	Harris	Morgan	Stevenson
Brady	Farrell	Hart	Murphy C F	Stratton
Brooks	Ferguson	Hastings	Murphy G W	Todd
Brough	Filley	Hoey	Northrup	Volk
Buckley	Flanagan	Hooper	Norton	Waddell
Burhyte	Foley C F	Hurd	Oliver	Wagner
Burns	Foley J A	Huth	Patton	Wainwright
Burzynski	Francis	Jackson	Phillips	Weber
Chamberlain	Ganly	Keller	Prentice	Weimert
Cole	Garbe	Lee	Prince	Wells
Collins	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Loos	Robinson	Whitney G H
Croak	Gluck	Lupton	Schmidt	Winters
Cunningham	Goldberg	Maher	Schoeneck	Wood
Cuvillier	Gray	Mance	Schwegler	Yale
Dobbs	Gunderman	Matthews	Shuttleworth	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2156) entitled "An act to authorize the common council of the city of Yonkers to establish sewage disposal plants in the seventh ward, as now established in the city of Yonkers, and to empower the common council of said city to raise the necessary funds therefor" (Int. No. 1597), was read the second time.

On motion of Mr. Haines, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2158) entitled "An act to establish a pension fund for the paid fire department of the city of Yonkers" (Int. No. 1599), was read the second time.

On motion of Mr. Haines, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1704) entitled "An act in relation to avenue F in the borough of Brooklyn" (Int. No. 1346), was read the second time.

On motion of Mr. Lee, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1813) entitled "An act to establish and maintain a water department in and for the city of Cortland" (Int. No. 1423), was read the second time.

On motion of Mr. Newton, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2034) entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' relative to ward boundaries, composition, election and powers of the common council, and the election of supervisors" (Int. No. 926), was read the second time.

On motion of Mr. O'Brian, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1485) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for trout in Chenango county" (Int. No. 1233), was read the second time.

On motion of Mr. Stratton, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1986) entitled "An act to authorize the city of New York to acquire lands on Prospect Heights, in the borough of Brooklyn, as sites for public buildings" (Int. No. 1526), was read the second time.

On motion of Mr. C. F. Murphy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1780) entitled "An act to amend the Greater New York charter, relative to the department of docks and ferries" (Int. No. 1400), was read the second time.

On motion of Mr. Wells, said bill was placed on the order of third reading.

On motion of Mr. Wells, and by unanimous consent, said bill was read the third time, having been printed and upon the desks

of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 105

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sinclair
Apgar	Donnelly	Haines	Merritt	Smith A E
Baldwin	Draper	Hamilton	Miller	Smith Myron
Baumann	Duell	Hammond	Mills	Staley
Blue	Eagleton	Harawitz	Moreland	Stern
Bohan	Eichhorn	Harris	Morgan	Stevenson
Brady	Farrell	Hart	Murphy C F	Stratton
Brooks	Ferguson	Hastings	Murphy G W	Todd
Brough	Filley	Hoey	Northrup	Volk
Buckley	Flanagan	Hooper	Norton	Waddell
Burhyte	Foley C F	Hurd	Oliver	Wagner
Burns	Foley J A	Huth	Patton	Wainwright
Burzynski	Francis	Jackson	Phillips	Weber
Chamberlain	Ganly	Keller	Prentice	Weimert
Cole	Garbe	Lee	Prince	Wells
Collins	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Loos	Robinson	Whitney G H
Croak	Gluck	Lupton	Schmidt	Winters
Cunningham	Goldberg	Maher	Schoeneck	Wood
Cuvillier	Gray	Mance	Schwegler	Yale
Dobbs	Gunderman	Matthews	Shuttleworth	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1760) entitled "An act to amend the Insurance Law, relative to exception of the Fraternal Order of the Scandinavian Brotherhood of America from certain of its provisions" (Int. No. 1378), was read the second time.

On motion of Mr. Allen, said bill was placed on the order of third reading.

On motion of Mr. Allen, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 105

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sinclair
Apgar	Donnelly	Haines	Merritt	Smith A E
Baldwin	Draper	Hamilton	Miller	Smith Myron
Baumann	Duell	Hammond	Mills	Staley
Blue	Eagleton	Harawitz	Moreland	Stern
Bohan	Eichhorn	Harris	Morgan	Stevenson
Brady	Farrell	Hart	Murphy C F	Stratton
Brooks	Ferguson	Hastings	Murphy G W	Todd
Brough	Filley	Hoey	Northrup	Volk
Buckley	Flanagan	Hooper	Norton	Waddell
Burhyte	Foley C F	Hurd	Oliver	Wagner
Burns	Foley J A	Huth	Patton	Wainwright
Burzynski	Francis	Jackson	Phillips	Weler
Chamberlain	Ganly	Keller	Prentice	Weimert
Cole	Garbe	Lee	Prince	Wells
Colins	Geoghagan	Lewis	Raiston	West
Conklin	Glore	Loos	Robinson	Whitney G H
Croak	Gluck	Lupton	Schmidt	Winters
Cunningham	Goldberg	Maher	Schoeneck	Wood
Cuvillier	Gray	Mance	Schwegler	Yale
Dobbs	Gunderman	Matthews	Shuttleworth	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1989) entitled "An act to amend the Insurance Law to permit mutual fire insurance companies or associations of other States to do business within this State; to regulate the business done by them; to tax the same; and to prohibit the insuring of property located in this State in unauthorized companies" (Int. No. 1529), was read the second time.

On motion of Mr. Moreland, said bill was placed on the order of third reading.

On motion of Mr. Moreland, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Smith A E
Appar	Draper	Hamilton	Miller	Smith Myron
Baldwin	Duell	Hammond	Mills	Staley
Baumann	Eagleton	Harawitz	Moreland	Stern
Blue	Eichhorn	Harris	Morgan	Stevenson
Bohan	Farrell	Hart	Murphy C F	Stratton
Brady	Ferguson	Hastings	Murphy G W	Todd
Brooks	Filley	Hoey	Northrup	Volk
Brough	Flanagan	Hooper	Norton	Waddell
Buckley	Foley C F	Hurd	Oliver	Wagner
Burhyte	Foley J A	Huth	Patton	Wainwright
Burns	Francis	Jackson	Phillips	Walters
Burzynski	Ganly	Keller	Prentice	Weber
Chamberlain	Garbe	Lee	Prince	Weimert
Cole	Geoghagan	Lewis	Ralston	Wells
Collins	Glore	Loos	Robinson	West
Conklin	Gluck	Lupton	Schmidt	Whitney G H
Croak	Goldberg	Maher	Schoeneck	Winters
Cunningham	Gray	Mance	Schwegler	Wood
Cuvillier	Gunderman	Matthews	Shuttleworth	Yale
Dobbs	Hackett	McCue	Sinclair	Young
Dominy				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2290) entitled "An act to amend the Liquor Tax Law, in relation to places in which the traffic in liquor shall not be permitted" (Int. No. 1664), was read the second time.

On motion of Mr. Ralston, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 479) entitled "An act to prevent fire insurance companies entering into or maintaining pools, trusts, conspiracies or agreements to control rates of insurance" (Int. No. 466), having been announced for a second reading,

On motion of Mr. Moreland, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1240) entitled "An act to amend 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same, and to provide for local option, constituting chapter twenty-nine of the general laws,' relative to the recovery of civil damages by reason of intoxication" (Int. No. 1069), having been announced for a second reading,

On motion of Mr. Prentice, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1616) entitled "An act to amend chapter four hundred and eighteen of the Laws of eighteen hundred and ninety-seven, entitled 'An act in relation to liens, constituting chapter forty-nine of the general laws,' relating to the discharge of a lien by payment of money into court and the cancellation of notice of the pendency of action" (Int. No. 1306), having been announced for a second reading,

On motion of Mr. C. F. Foley, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 2109) entitled "An act to amend the Liquor Tax Law, in relation to places in which traffic in liquor shall not be permitted" (Int. No. 1584), having been announced for a second reading,

On motion of Mr. Lansing, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 2028) entitled "An act to amend the Liquor Tax Law, in relation to violations and penalties, jurisdiction of courts and reports of magistrates, and fees of sheriffs" (Int. No. 1553), having been announced for a second reading,

On motion of Mr. Lansing, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 2110) entitled "An act to amend chapter nine hundred of the Laws of eighteen hundred and ninety-six, entitled 'An act authorizing the sale of ale and beer upon the premises of the New York State Soldiers and Sailors' Home, of Bath, New York,' and providing for the expenditure of the net proceeds therefrom" (Int. No. 1585), having been announced for a second reading,

On motion of Mr. Oliver, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1869) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the claim of William W. Bryan for damages arising from the sale by the State Comptroller of the north half of lot number seven, great lot number seven, seventeenth allotment, Kayaderosseras patent for the alleged nonpayment of the taxes of eighteen hundred and ninety-six, town of Greenfield, Saratoga county, at tax sale of nineteen hundred, alleged to have been sustained by him, and to render judgment therefor" (Int. No. 1454), was read the second time.

On motion of Mr. Croak, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1892) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of Clarence W. Francis against the State, for disbursements and expenditures by him as deputy Attorney-General of the State of New York" (Int. No. 1479), was read the second time.

On motion of Mr. Cunningham, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1481) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the First National Bank of Ellenville, New York, against the State of New York and to render judgment therefor" (Int. No. 1229), was read the second time.

On motion of Mr. Cunningham, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2283) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of James P. Cunningham against the State of New York, and to render judgment therefor" (Int. No. 1657), was read the second time.

On motion of Mr. Dominy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2071) entitled "An act to confer upon the Court of Claims jurisdiction to hear, audit and determine the alleged claim against the State of the executors and devisees of Robert Earl, deceased" (Int. No. 1558), was read the second time.

On motion of Mr. Ferguson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2070) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Daniel F. Strobel and Dennis Moynahan, doing business under the firm name of Strobel and Moynahan, against the State for damages alleged to have been sustained by them and to render judgment therefor" (Int. No. 1557), was read the second time.

On motion of Mr. Ferguson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1452) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Arthur L. Condit, against the State of New York, for damages alleged to have been sustained in the autumn of nineteen hundred two" (Int. No. 1207), was read the second time.

On motion of Mr. Filley, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1015) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of E. J. Lawless, doing business under the title name of the Lawless Paper Company, against the State of New York, and to render judgment therefor" (Int. No. 900), was read the second time.

On motion of Mr. Hammond, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1993) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Oliver A. Quayle against the State, for damages alleged to have been sustained by him, and to render judgment therefor" (Int. No. 1533), was read the second time.

On motion of Mr. Mead, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2292) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Gustavus Kirby, and to render judgment therefor" (Int. No. 1667), was read the second time.

On motion of Mr. Merritt, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1479) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged

claim of A. L. Greene against the State for expenses incurred as a deputy factory inspector, and to render judgment therefor" (Int. No. 1227), was read the second time.

On motion of Mr. Staley, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 944) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of James E. Shelland against the State of New York; for money alleged to have been expended, and for services rendered as an officer in the Thirty-ninth Regiment of the New York State Militia in the years eighteen hundred and sixty-one and eighteen hundred and sixty-two" (Int. No. 862), was read the second time.

On motion of Mr. C. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 376) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Manheim Brown against the State, for damages alleged to have been sustained by him, and to render judgment therefor" (Int. No. 371), was read the second time.

On motion of Mr. Prentice, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1019) entitled "An act to amend section seventy-four of title two of chapter three of part four of the Revised Statutes, relating to State prisons relative to the parole of certain prisoners" (Int. No. 904), was read the second time.

On motion of Mr. Waddell, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 675) entitled "An act to authorize the city of Utica and the various departments thereof to make up and levy a tax budget during the year nineteen hundred and seven" (Rec. No. 188), was read the second time.

On motion of Mr. Hart, said bill was placed on the order of third reading.

The Senate bill (No. 659) entitled "An act to amend the Greater New York charter, relative to the art commission" (Rec. No. 224), was read the second time.

On motion of Mr. Prentice, said bill was placed on the order of third reading.

The Senate bill (No. 910) entitled "An act to authorize the board of estimate and apportionment of the city of New York, in its discretion, to examine, audit and allow the balance of certain claims for reimbursement and compensation for expenditures made because of damages alleged to have been suffered by reason of the changes made in the grades of certain streets, pursuant to a resolution of the board of aldermen, remaining unpaid after the payment of the part of said claims authorized to be allowed by chapter five hundred and ninety-nine of the Laws of nineteen hundred and six" (Rec. No. 213), was read the second time.

On motion of Mr. Prentice, said bill was placed on the order of third reading.

The Senate bill (No. 1075) entitled "An act to amend the Forest, Fish and Game Law, in relation to set lines and tipups on Big Sandy pond in Oswego county and in Chenango county" (Rec. No. 206), was read the second time.

On motion of Mr. Burhyte, said bill was placed on the order of third reading.

The Senate bill (No. 949) entitled "An act to authorize the city of Cohoes to borrow money therefor and to construct a bridge over the first branch of the Mohawk river, at Ontario street in said city" (Rec. No. 248), was read the second time.

On motion of Mr. Maher, said bill was placed on the order of third reading.

On motion of Mr. Maher, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 104

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Smith A E
Apgar	Donnelly	Haines	Merritt	Smith Myron
Baldwin	Draper	Hamilton	Miller	Staley
Baumann	Duell	Hammond	Moreland	Stern

Blue	Eagleton	Harawitz	Morgan	Stevenson
Bohan	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Todd
Brooks	Ferguson	Hastings	Northrup	Volk
Brough	Fillee	Hoey	Norton	Waddell
Buckley	Flanagan	Hooper	Oliver	Wagner
Burhyte	Foley C F	Hurd	Patton	Wainwright
Burns	Foley J A	Huth	Phillips	Weber
Burzynski	Francis	Jackson	Prentice	Weimert
Chamberlain	Ganly	Keller	Prince	Wells
Cole	Garbe	Lee	Ralston	West
Collins	Geoghagan	Lewis	Robinson	Whitney G H
Conklin	Glore	Loos	Schmidt	Winters
Croak	Gluck	Lupton	Schoeneck	Wood
Cunningham	Goldberg	Maher	Schwegler	Yale
Cuvillier	Gray	Mance	Shuttleworth	Young
Dobbs	Gunderman	Matthews	Sinclair	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 964) entitled "An act to amend the Greater New York charter, relative to the protection of the grounds and properties of educational institutions" (Rec. No. 217), was read the second time.

On motion of Mr. Oliver, said bill was placed on the order of third reading.

The Senate bill (No. 1027) entitled "An act to amend section one hundred and forty-two of chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter seven hundred and seven of the Laws of nineteen hundred, in relation to divisions of taxes and assessments" (Rec. No. 191), was read the second time.

On motion of Mr. Patton, said bill was placed on the order of third reading.

The Senate bill (No. 316) entitled "An act to transfer a part of Niagara street in the city of Buffalo, to the control and jurisdiction of the board of park commissioners of said city" (Rec. No. 24), was read the second time.

On motion of Mr. Patton, said bill was placed on the order of third reading.

The Senate bill (No. 429) entitled "An act to empower the board of assessors of the city of New York to estimate and allow damages sustained by owners of real property abutting upon Man-

hattan avenue adjacent to Newtown creek, borough of Brooklyn, in the city of New York by reason of the construction of the bridge over Newtown creek, between Manhattan avenue in the borough of Brooklyn, and Vernon avenue in the borough of Queens, and the approaches thereto" (Rec. No. 218), was read the second time.

On motion of Mr. Mooney, said bill was placed on the order of third reading.

On motion of Mr. Mooney, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Smith A E
Apgar	Draper	Hamilton	Miller	Smith Myron
Baldwin	Duell	Hammond	Mills	Staley
Baumann	Eagleton	Harawitz	Moreland	Stern
Blue	Eichhorn	Harris	Morgan	Stevenson
Bohan	Farrell	Hart	Murphy C F	Stratton
Brady	Ferguson	Hastings	Murphy G W	Todd
Brooks	Filley	Hoey	Northrup	Volk
Brough	Flanagan	Hooper	Norton	Waddell
Buckley	Foley C F	Hurd	Oliver	Wagner
Burhyte	Foley J A	Huth	Patton	Wainwright
Burns	Francis	Jackson	Phillips	Walters
Burzynski	Ganly	Keller	Prentice	Weber
Chamberlain	Garbe	Lee	Prince	Weimert
Cole	Geoghagan	Lewis	Ralston	Wells
Collins	Glore	Loos	Robinson	West
Conklin	Gluck	Lupton	Schmidt	Whitney G H
Croak	Goldberg	Maher	Schoeneck	Winters
Cunningham	Gray	Mance	Schwegler	Wood
Cuvillier	Gunderman	Matthews	Shuttleworth	Yale
Dobbs	Hackett	McCue	Sinclair	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 913) entitled "An act to amend chapter

five hundred and seventy-two of the Laws of nineteen hundred and two, entitled 'An act to revise and amend an act to incorporate the city of Middletown, and the acts amendatory thereof,' generally" (Rec. No. 177), was read the second time.

On motion of Mr. Hastings, said bill was placed on the order of third reading.

On motion of Mr. Hastings, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Smith A E
Apgar	Draper	Hamilton	Miller	Smith Myron
Baldwin	Duell	Hammond	Mills	Staley
Baumann	Eagleton	Harawitz	Moreland	Stern
Blue	Eichhorn	Harris	Morgan	Stevenson
Bohan	Farrell	Hart	Murphy C F	Stratton
Brady	Ferguson	Hastings	Murphy G W	Todd
Brooks	Filley	Hoey	Northrup	Volk
Brough	Flanagan	Hooper	Norton	Waddell
Buckley	Foley C F	Hurd	Oliver	Wagner
Burhyte	Foley J A	Huth	Patton	Wainwright
Burns	Francis	Jackson	Phillips	Walters
Burzynski	Ganly	Keller	Prince	Weber
Chamberlain	Garbe	Lee	Prentice	Weimert
Cole	Geoghagan	Lewis	Ralston	Wells
Collins	Glore	Loos	Robinson	West
Conklin	Gluck	Lupton	Schmidt	Whitney G H
Croak	Goldberg	Maher	Schoeneck	Winters
Cunningham	Gray	Mance	Schwegler	Wood
Cuvillier	Gunderman	Matthews	Shuttleworth	Yale
Dobbs	Hackett	McCue	Sinclair	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1050) entitled "An act authorizing the board of estimate and apportionment of the city of New York in its discretion to direct that the cost and expense of opening, widen-

ing or extending streets in said city for the purpose of using such streets as an approach to bridges connecting the various boroughs of said city, shall be borne and paid by the city of New York" (Rec. No. 219), was read the second time.

On motion of Mr. Eagleton, said bill was placed on the order of third reading.

On motion of Mr. Eagleton, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Smith A E
Apgar	Draper	Hamilton	Miller	Smith Myror
Baldwin	Duell	Hammond	Mills	Staley
Baumann	Eagleton	Harawitz	Moreland	Stern
Blue	Eichhorn	Harris	Morgan	Stevenson
Bohan	Farrell	Hart	Murphy C F	Stratton
Brady	Ferguson	Hastings	Murphy G W	Todd
Brooks	Filley	Hoey	Northrup	Volk
Brough	Flanagan	Hooper	Norton	Waddell
Buckley	Foley C F	Hurd	Oliver	Wagner
Burhyte	Foley J A	Huth	Patton	Wainwright
Burns	Francis	Jackson	Phillips	Walters
Burzynski	Ganly	Keller	Prentice	Weber
Chamberlain	Garbe	Lee	Prince	Weimert
Cole	Geoghagan	Lewis	Ralston	Wells
Collins	Glore	Loos	Robinson	West
Conklin	Gluck	Lupton	Schmidt	Whitney G H
Croak	Goldberg	Maher	Schoeneck	Winters
Cunningham	Gray	Mance	Schwegler	Wood
Cuvillier	Gunderman	Matthews	Shuttleworth	Yale
Dobbs	Hackett	McCue	Sinclair	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 895) entitled "An act to amend section thirty-one of the Insurance Law, relative to the filing and publication of statements" (Rec. No. 221), was read the second time.

On motion of Mr. Chamberlain, said bill was placed on the order of third reading.

The Senate bill (No. 1140) entitled "An act to amend section two hundred and one of the Insurance Law in relation to the designation of beneficiaries" (Rec. No. 237), was read the second time.

On motion of Mr. Patton, said bill was placed on the order of third reading.

The Senate bill (No. 693) entitled "An act to amend chapter seven hundred and eighteen of the Laws of nineteen hundred and four, entitled 'An act authorizing the selection of lands as a site for the New York State Training School for Boys, and establishing the said school,' as amended by chapter one hundred and thirty-three of the Laws of nineteen hundred and five and by chapter six hundred and seventeen of the Laws of nineteen hundred and six, in relation to the grant by the Commissioners of the Land Office to the city of New York of the sunken meadow in East river adjacent to Randall's Island and of the land under water surrounding the same to the bulk-head line" (Rec. No. 126), having been announced for a second reading,

On motion of Mr. C. F. Foley, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 2209) entitled "An act to provide for the collection and enforcement of State and county taxes in the city of Troy, and for the sale of lands for unpaid State and county taxes in the county of Rensselaer and to legalize and confirm the acts of the county treasurer of Rensselaer county and of other officials of said county in regard to the collection and enforcement of State and county taxes in the county of Rensselaer" (Int. No. 1458), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Smith A E
Apgar	Draper	Hamilton	Miller	Smith Myron
Baldwin	Duell	Hammond	Mills	Staley
Baumann	Eagleton	Harawitz	Moreland	Stern
Blue	Eichhorn	Harris	Morgan	Sevenson
Bohan	Farrell	Hart	Murphy C F	Stratton
Brady	Ferguson	Hastings	Murphy G W	Todd
Brooks	Filley	Hoey	Northrup	Volk
Brough	Flanagan	Hooper	Norton	Waddell
Buckley	Foley C F	Hurd	Oliver	Wagner
Burhyte	Foley J A	Huth	Patton	Wainwright
Burns	Francis	Jackson	Phillips	Walters
Burzynski	Ganly	Keller	Prentice	Weber
Chamberlain	Garbe	Lee	Prince	Weimert
Cole	Geoghagan	Lewis	Ralston	Wells
Collins	Glore	Loos	Robinson	West
Conklin	Gluck	Lupton	Schmidt	Whitney G H
Croak	Goldberg	Maher	Schoeneck	Winters
Cunningham	Gray	Mance	Schwegler	Wood
Cuvillier	Gunderman	Matthews	Shuttleworth	Yale
Dobbs	Hackett	McCue	Sinclair	Young
Dominy				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2197) entitled "An act to amend chapter one hundred and ninety of the Laws of eighteen hundred and seventy-eight, entitled 'An act to protect the Seaside boulevard and meadows adjacent thereto on the south shore of Staten Island, and to prevent the same from being injured or overflowed by the waters of the bay of New York,' in relation to the removal of sand, earth or clay" (Int. No. 1568), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Smith A E
Apgar	Draper	Hamilton	Miller	Smith Myron

Baldwin	Duell	Hammond	Mills	Staley
Baumann	Eagleton	Harawitz	Moreland	Stern
Blue	Eichhorn	Harris	Morgan	Stevenson
Bohan	Farrell	Hart	Murphy C F	Stratton
Brady	Ferguson	Hastings	Murphy G W	Todd
Brooks	Filley	Hoey	Northrup	Volk
Brough	Flanagan	Hooper	Norton	Waddell
Buckley	Foley C F	Hurd	Oliver	Wagner
Burhyte	Foley J A	Huth	Patton	Wainwright
Burns	Francis	Jackson	Phillips	Walters
Burzynski	Ganly	Keller	Prentice	Weber
Chamberlain	Garbe	Lee	Prince	Weimert
Cole	Geoghagan	Lewis	Ralston	Wells
Collins	Glore	Loos	Robinson	West
Conklin	Gluck	Lupton	Schmidt	Whitney G H
Croak	Goldberg	Maher	Schoeneck	Winters
Cunningham	Gray	Mance	Schwegler	Wood
Cuvillier	Gundermann	Matthews	Shuttleworth	Yale
Dobbs	Hackett	McCue	Sinclair	Young
Dominy				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2198) entitled "An act to incorporate the Long Sault Development Company, and to authorize said company to construct and maintain dams, canals, power-houses and locks at or near Long Sault island, for the purpose of improving the navigation of the Saint Lawrence river and developing power from the waters thereof, and to construct and maintain a bridge, and carry on the manufacture of commodities" (Int. No. 1005), having been announced for a third reading,

On motion of Mr. Merritt, said bill was laid aside, and ordered stricken from the calendar.

The bill (No. 2261) entitled "An act to amend the Code of Civil Procedure, in relation to the distribution of personal property, and to repeal subdivision three of section twenty-seven hundred and thirty-two" (Int. No. 587), having been announced for a third reading,

On motion of Mr. Moreland, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The Senate bill (No. 713, A. reprint No. 2246) entitled "An act to amend the Agricultural Law, in relation to the suppression of infectious and contagious diseases of domestic animals" (Rec. No. 148), was read the third time, having been printed and upon

the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 105

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sinclair
Apgar	Donnelly	Haines	Merritt	Smith A E
Baldwin	Draper	Hamilton	Miller	Smith Myron
Baumann	Duell	Hammond	Mills	Staley
Blue	Eagleton	Harawitz	Moreland	Stern
Bohan	Eichhorn	Harris	Morgan	Stevenson
Brady	Farrell	Hart	Murphy C F	Stratton
Brooks	Ferguson	Hastings	Murphy G W	Todd
Brough	Filley	Hoey	Northrup	Volk
Buckley ]	Flanagan	Hooper	Norton	Waddell
Burhyte	Foley C F	Hurd	Oliver	Wagner
Burns	Foley J A	Huth	Patton	Wainwright
Burzynski	Francis	Jackson	Phillips	Weber
Chamberlain	Ganly	Keller	Prentice	Weimert
Cole	Garbe	Lee	Prince	Wells
Collins	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Loos	Robinson	Whitney G H
Croak	Gluck	Lupton	Schmidt	Winters
Cunningham	Goldberg	Maher	Schoeneck	Wood
Cuvillier	Gray	Mance	Schwegler	Yale
Dobbs	Gunderman	Matthews	Shuttleworth	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The bill (No. 2262) entitled "An act to amend the Labor Law, relative to hours of labor of certain employees on railroads" (Int. No. 891), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Smith A E
Apgar	Draper	Hamilton	Miller	Smith Myron
Baldwin	Duell	Hammond	Mills	Staley
Baumann	Eagleton	Harawitz	Moreland	Stern
Blue	Eichhorn	Harris	Morgan-	Stevenson
Bohan	Farrell	Hart	Murphy C F	Stratton
Brady	Ferguson	Hastings	Murphy G W	Todd
Brooks	Filley	Hoey	Northrup	Volk
Brough	Flanagan	Hooper	Norton	Waddell
Buckley	Foley C F	Hurd	Oliver	Wagner
Burhyte	Foley J A	Huth	Patton	Wainwright
Burns	Francis	Jackson	Phillips	Walters
Burzynski	Ganly	Keller	Prentice	Weber
Chamberlain	Garbe	Lee	Prince	Weimert
Cole	Geoghagan	Lewis	Ralston	Wells
Collins	Glore	Loos	Robinson	West
Conklin	Gluck	Lupton	Schmidt	Whitney G H
Croak	Goldberg	Maher	Schoeneck	Winters
Cunningham	Gray	Mance	Schwegler	Wood
Cuvillier	Gunderman	Matthews	Shuttleworth	Yale
Dobbs	Hackett	McCue	Sinclair	Young
Dominy				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 1065) entitled "An act to release to Margaretha Ansay all the right, title and interest of the people of the State of New York in and to certain real estate situate in the city of Buffalo, county of Erie and State of New York, acquired by escheat or otherwise upon the death of Hyronimus Wagner" (Rec. No. 251), having been announced for a third reading,

On motion of Mr. Moreland, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The Senate bill (No. 1046) entitled "An act to provide for iron gates for the protection of life on streets leading to the Gowanus canal in the borough of Brooklyn in the city of New York" (Rec. No. 196), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 105

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sinclair
Apgar	Donnelly	Haines	Merritt	Smith A E
Baldwin	Draper	Hamilton	Miller	Smith Myron
Baumann	Duell	Hammond	Mills	Staley
Blue	Eagleton	Harawitz	Moreland	Stern
Bohan	Eichhorn	Harris	Morgan	Stevenson
Brady	Farrell	Hart	Murphy C F	Stratton
Brooks	Ferguson	Hastings	Murphy G W	Todd
Brough	Filley	Hoey	Northrup	Volk
Buckley	Flanagan	Hooper	Norton	Waddell
Burhyte	Foley C F	Hurd	Oliver	Wagner
Burns	Foley, J A	Huth	Patton	Wainwright
Burzynski	Francis	Jackson	Phillips	Weber
Chambrlain	Ganly	Keller	Prentice	Weimert
Cole	Garbe	Lee	Prince	Wells
Collins	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Loos	Robinson	Whitney G H
Croak	Gluck	Lupton	Schmidt	Winters
Cunningham	Goldberg	Maher	Schoeneck	Wood
Cuvillier	Gray	Mance	Schwegler	Yale
Dobbs	Gunderman	Matthews	Shuttleworth	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1038) entitled "An act to amend the Forest, Fish and Game Law, in relation to the annual compilation of the law" (Rec. No. 215), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 105

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sinclair
Apgar	Donnelly	Haines	Merritt	Smith A E
Baldwin	Draper	Hamilton	Miller	Smith Myron

Baumann	Duell	Hammond	Mills	Staley
Blue	Eagleton	Harawitz	Moreland	Stern
Bohan	Eichhorn	Harris	Morgan	Stevenson
Brady	Farrell	Hart	Murphy C F	Stratton
Brooks	Ferguson	Hastings	Murphy G W	Todd
Brough	Filley	Hoey	Northrup	Volk
Buckley	Flanagan	Hooper	Norton	Waddell
Burhyte	Foley C F	Hurd	Oliver	Wagner
Burns	Foley J A	Huth	Patton	Wainwright
Burzynski	Francis	Jackson	Phillips	Weber
Chamberlain	Ganly	Keller	Prentice	Weimert
Cole	Garbe	Lee	Prince	Wells
Collins	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Loos	Robinson	Whitney G H
Croak	Gluck	Lupton	Schmidt	Winters
Cunningham	Goldberg	Maher	Schoeneck	Wood
Cuvillier	Gray	Mance	Schwegler	Yale
Dobbs	Gunderman	Matthews	Shuttleworth	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 989) entitled "An act to amend chapter three hundred and fifteen of the Laws of eighteen hundred and ninety-five, entitled 'An act to amend and consolidate the several acts relating to the village of Ilion,' relative to salaries of policemen" (Rec. No. 208), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 105

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sinclair
Apgar	Donnelly	Haines	Merritt	Smith A E
Baldwin	Draper	Hamilton	Miller	Smith Myron
Baumann	Duell	Hammond	Mills	Staley
Blue	Eagleton	Harawitz	Moreland	Stern
Bohan	Eichhorn	Harris	Morgan	Stevenson
Brady	Farrell	Hart	Murphy C F	Stratton
Brooks	Ferguson	Hastings	Murphy G W	Todd
Brough	Filley	Hoey	Northrup	Volk
Buckley	Flanagan	Hooper	Norton	Waddell
Burhyte	Foley C F	Hurd	Oliver	Wagner
Burns	Foley J A	Huth	Patton	Wainwright
Burzynski	Francis	Jackson	Phillips	Weber

Chamberlain	Ganly	Keller	Prentice	Weimert
Cole	Garbe	Lee	Prince	Wells
Collins	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Loos	Robinson	Whitney G H
Croak	Gluck	Lupton	Schmidt	Winters
Cunningham	Goldberg	Maher	Schoeneck	Wood
Cuvillier	Gray	Mance	Schwegler	Yale
Dobbs	Gunderman	Matthews	Shuttleworth	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1045) entitled "An act in relation to the Medical Society of the State of New York" (Rec. No. 194), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 105

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sinclair
Apgar	Donnelly	Haines	Merritt	Smith A E
Baldwin	Draper	Hamilton	Miller	Smith Myron
Baumann	Duell	Hammond	Mills	Staley
Blue	Eagleton	Harawitz	Moreland	Stern
Bohan	Eichhorn	Harris	Morgan	Stevenson
Brady	Farrell	Hart	Murphy C F	Stratton
Brooks	Ferguson	Hastings	Murphy G W	Todd
Brough	Filley	Hoey	Northrup	Volk
Buckley	Flanagan	Hooper	Norton	Waddell
Burhyte	Foley C F	Hurd	Oliver	Wagner
Burns	Foley J A	Huth	Patton	Wainwright
Burzynski	Francis	Jackson	Phillips	Weber
Chamberlain	Ganly	Keller	Prentice	Weimert
Cole	Garbe	Lee	Prince	Wells
Collins	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Loos	Robinson	Whitney G H
Croak	Gluck	Lupton	Schmidt	Winters
Cunningham	Goldberg	Maher	Schoeneck	Wood
Cuvillier	Gray	Mance	Schwegler	Yale
Dobbs	Gunderman	Matthews	Shuttleworth	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1023) entitled "An act to amend the County Law in relation to the custody and care of minors in county jails" (Rec. No. 186), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 105

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sinclair
Apgar	Donnelly	Haines	Merritt	Smith A E
Baldwin	Draper	Hamilton	Miller	Smith Myron
Baumann	Duell	Hammond	Mills	Staley
Blue	Eagleton	Harawitz	Moreland	Stern
Bohan	Eichhorn	Harris	Morgan	Stevenson
Brady	Farrell	Hart	Murphy C F	Stratton
Brooks	Ferguson	Hastings	Murphy G W	Todd
Brough	Filley	Hoey	Northrup	Volk
Buckley	Flanagan	Hooper	Norton	Waddell
Burhyte	Foley C F	Hurd	Oliver	Wagner
Burns	Foley J A	Huth	Patton	Wainwright
Burzynski	Frisbie	Jackson	Phillips	Weber
Chamberlain	Ganly	Keller	Prentice	Weimert
Cole	Garbe	Lee	Prince	Wells
Collins	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Loos	Robinson	Whitney G H
Croak	Gluck	Lupton	Schmidt	Winters
Cunningham	Goldberg	Maher	Schoeneck	Wood
Cuvillier	Gray	Mance	Schwegler	Yale
Dobbs	Gunderman	Matthews	Shuttleworth	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 74) entitled "An act to legalize the proceedings of the town board and board of highway commissioners of the town of West Seneca, Erie county, New York, in constructing sewers in Edson street, Duerstein avenue and Burch avenue, in said town of West Seneca, and making assessments therefor" (Rec. No. 98), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 105

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sinclair
Apgar	Donnelly	Haines	Merritt	Smith A E
Baldwin	Draper	Hamilton	Miller	Smith Myron
Baumann	Duell	Hammond	Mills	Staley
Blue	Eagleton	Harawitz	Moreland	Stern
Bohan	Eichhorn	Harris	Morgan	Stevenson
Brady	Farrell	Hart	Murphy C F	Stratton
Brooks	Ferguson	Hastings	Murphy G W	Todd
Brough	Filley	Hoey	Northrup	Volk
Buckley	Flanagan	Hooper	Norton	Waddell
Burhyte	Foley C F	Hurd	Oliver	Wagner
Burns	Foley J A	Huth	Patton	Wainwright
Burzynski	Francis	Jackson	Phillips	Weber
Chamberlain	Ganly	Keller	Prentice	Weimert
Cole	Garbe	Lee	Prince	Wells
Collins	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Loos	Robinson	Whitney G H
Croak	Gluck	Lupton	Schmidt	Winters
Cunningham	Goldberg	Maher	Schoeneck	Wood
Cuvillier	Gray	Mance	Schwegler	Yale
Dobbs	Gunderman	Matthews	Shuttleworth	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1018) entitled "An act to amend an act, entitled 'An act to provide for supplying the village of White Plains with water and authorizing the issue of bonds therefor and to create a board of water commissioners for said village,' being chapter seven hundred and sixty-nine of the Laws of eighteen hundred and ninety-six" (Rec. No. 181), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Smith A E
Apgar	Draper	Hamilton	Miller	Smith Myron
Baldwin	Duell	Hammond	Mills	Staley
Baumann	Eagleton	Harawitz	Moreland	Stern
Blue	Eichhorn	Harris	Morgan	Stevenson
Bohan	Farrell	Hart	Murphy C F	Stratton
Brady	Ferguson	Hastings	Murphy G W	Todd
Brooks	Filley	Hoey	Northrup	Volk
Brough	Flanagan	Hooper	Norton	Waddell
Buckley	Foley C F	Hurd	Oliver	Wagner
Burhyte	Foley J A	Huth	Patton	Wainwright
Burns	Francis	Jackson	Phillips	Walters
Burzynski	Ganly	Keller	Prentice	Weber
Chamberlain	Garbe	Lee	Prince	Weimert
Cole	Geoghagan	Lewis	Ralston	Wells
Collins	Glore	Loos	Robinson	West
Conklin	Gluck	Lupton	Schmidt	Whitney G H
Croak	Goldberg	Maher	Schoeneck	Winters
Cunningham	Gray	Mance	Schwegler	Wood
Cuvillier	Gunderman	Matthews	Shuttleworth	Yale
Dobbs	Hackett	McCue	Sinclair	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 783) entitled "An act to amend the State Charities Law, in relation to the visitations and reports of managers of State charitable institutions" (Rec. No. 135), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Smith A E
Apgar	Draper	Hamilton	Miller	Smith Myron
Baldwin	Duell	Hammond	Mills	Staley
Baumann	Eagleton	Harawitz	Moreland	Stern
Blue	Eichhorn	Harris	Morgan	Stevenson

Bohan	Farrell	Hart	Murphy C F	Stratton
Brady	Ferguson	Hastings	Murphy G W	Todd
Brooks	Filley	Hoey	Northrup	Volk
Brough	Flanagan	Hooper	Norton	Waddell
Buckley	Foley C F	Hurd	Oliver	Wagner
Burhyte	Foley J A	Huth	Patton	Wainwright
Burns	Francis	Jackson	Phillips	Walters
Burzynski	Ganly	Keller	Prentice	Weber
Chamberlain	Garbe	Lee	Prince	Weimert
Cole	Geoghagan	Lewis	Ralston	Wells
Collins	Glore	Loos	Robinson	West
Conklin	Gluck	Lupton	Schmidt	Whitney G H
Croak	Goldberg	Maher	Schoeneck	Winters
Cunningham	Gray	Mance	Schwegler	Wood
Cuvillier	Gunderman	Matthews	Shuttleworth	Yale
Dobbs	Hackett	McCue	Sinclair	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 978) entitled "An act to amend chapter one hundred and twenty of the Laws of eighteen hundred and eighty-one, entitled 'An act concerning certain records in the office of the Secretary of State and of the Comptroller,' relative to filing certain election returns and files in the State Library" (Rec. No. 179), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Smith A E
Apgar	Draper	Hamilton	Miller	Smith Myron
Baldwin	Duell	Hammond	Mills	Staley
Baumann	Eagleton	Harawitz	Moreland	Stern
Blue	Fichhorn	Harris	Morgan	Stevenson
Bohan	Farrell	Hart	Murphy C F	Stratton
Brady	Ferguson	Hastings	Murphy G W	Todd
Brooks	Filley	Hoey	Northrup	Volk
Brough	Flanagan	Hooper	Norton	Waddell
Buckley	Foley C F	Hurd	Oliver	Wagner
Burhyte	Foley J A	Huth	Patton	Wainwright
Burns	Francis	Jackson	Phillips	Walters

Burznskyi	Ganly	Keller	Prentice	Weber
Chamberlain	Garbe	Lee	Prince	Weimert
Cole	Geoghagan	Lewis	Ralston	Wells
Collins	Glore	Loos	Robinson	West
Conklin	Gluck	Lupton	Schmidt	Whitney G H
Croak	Goldberg	Maher	Schoeneck	Winters
Cunningham	Gray	Mance	Schwegler	Wood
Cuvillier	Gunderman	Matthews	Shuttleworth	Yale
Dobbs	Hackett	McCue	Sinclair	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 764) entitled "An act to incorporate the Hebrew Free Loan Association" (Rec. No. 195), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Smith A E
Apgar	Draper	Hamilton	Miller	Smith Myron
Baldwin	Duell	Hammond	Mills	Staley
Baumann	Eagleton	Harawitz	Moreland	Stern
Blue	Eichhorn	Harris	Morgan	Stevenson
Bohan	Farrell	Hart	Murphy C F	Stratton
Brady	Ferguson	Hastings	Murphy G W	Todd
Brooks	Filley	Hoey	Northrup	Volk
Brough	Flanagan	Hooper	Norton	Waddell
Buckley	Foley C F	Hurd	Oliver	Wagner
Burhyte	Foley J A	Huth	Patton	Wainwright
Burns	Francis	Jackson	Phillips	Walters
Burzynski	Ganly	Keller	Prentice	Weber
Chamberlain	Garbe	Lee	Prince	Weimert
Cole	Geoghagan	Lewis	Ralston	Wells
Collins	Glore	Loos	Robinson	West
Conklin	Gluck	Lupton	Schmidt	Whitney G H
Croak	Goldberg	Maher	Schoeneck	Winters
Cunningham	Gray	Mance	Schwegler	Wood
Cuvillier	Gunderman	Matthews	Shuttleworth	Yale
Dobbs	Hackett	McCue	Sinclair	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 730) entitled "An act to amend the Greater New York charter, relative to the salary of the commissioner of docks and the deputy commissioner of docks" (Rec. No. 216), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Smith A E
Apgar	Draper	Hamilton	Miller	Smith Myron
Baldwin	Duell	Hammond	Mills	Staley
Baumann	Eagleton	Harawitz	Moreland	Stern
Blue	Michhorn	Harris	Morgan	Stevenson
Bohan	Farrell	Hart	Murphy C F	Stratton
Brady	Ferguson	Hastings	Murphy G W	Todd
Brooks	Filley	Hoe	Northrup	Volk
Brough	Flanagan	Hooper	Norton	Waddell
Buckley	Foley C F	Hurd	Oliver	Wagner
Burhyte	Foley J A	Huth	Patton	Wainwright
Burns	Francis	Jackson	Phillips	Walters
Burzynski	Ganly	Keller	Prentice	Weber
Chamberlain	Garbe	Lee	Prince	Weimert
Cole	Geoghagan	Lewis	Ralston	Wells
Collins	Glore	Loos	Robinson	West
Conklin	Gluck	Lupton	Schmidt	Whitney G H
Croak	Goldberg	Maher	Schoeneck	Winters
Cunningham	Gray	Mance	Schwegler	Wood
Cuvillier	Gunderman	Matthews	Shuttleworth	Yale
Dobbs	Hackett	McCue	Sinclair	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Cunningham offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of

Assembly bill (No. 937, Int. No. 855), entitled "An act in relation to claims against the village of Ellenville for damages for personal injury or injury to property," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Schulz offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 248, Int. No. 247), entitled "An act to provide for the pensioning of Mary Hedeman, mother of patrolman William Hedeman, deceased," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the Assembly bill (No. 1516, Senate reprint No. 1202, Int. No. 410) entitled "An act to amend the Agricultural Law, in relation to selling and shipping milk and cream."

Also, Assembly bill (No. 870, Senate reprint No. 1221, Int. No. 805) entitled "An act to provide for the paving and improvement of certain streets in the village of Green Island, Albany county, New York, and to provide for the method and means of paying therefor."

Also, Assembly bill (No. 1273, Senate reprint No. 1167, Int. No. 910) entitled "An act to provide for a commission to investigate the condition of the National Guard of the State of New York."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the Assembly bill (No. 993, Senate reprint No. 847, Int. No. 893) entitled "An act in relation to certain grade crossings in the city of Utica."

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Utica.

The Senate returned the bill (No. 1867, Int. No. 1301) entitled "An act to revise and amend the charter of the city of Jamestown," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Jamestown.

The Senate returned the bill (No. 1459, Int. No. 837) entitled "An act to provide for a department of public instruction in the city of Syracuse," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Syracuse.

The Senate returned the bill (No. 2125, Int. No. 799) entitled "An act to amend chapter six hundred and fifty of the Laws of nineteen hundred and four, entitled 'An act to revise the charter of the city of Rome,' generally, and repealing section eighty-six thereof," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Rome.

The Senate returned the bill (No. 2092, Int. No. 1411) entitled "An act to provide for the election of a president of the common council of the city of Mount Vernon, defining his duties and fixing his salary," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Mount Vernon.

The Senate returned the bill (No. 2118, Int. No. 1412) entitled "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' relative to the appointment of a deputy commissioner of public works and the submission of a proposition therefor," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Mount Vernon.

The Senate returned the bill (No. 1747, Int. No. 1376) entitled "An act to amend chapter one hundred and twenty of the

Laws of eighteen hundred and eighty-six, entitled 'An act to revise the charter of the city of Lockport,' generally," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Lockport.

The Senate returned the bill (No. 66, Int. No. 66) entitled "An act to permit the city of Troy to borrow money on the faith of real estate purchased at tax sales within said city and to provide a sinking fund for the payment thereof," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Troy.

The Senate returned the bill (No. 37, Int. No. 37) entitled "An act to establish a retirement fund for teachers, superintendent of schools, principals and supervisors of the public schools in the city of Albany, and to regulate the collection, management and disbursement thereof," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Albany.

The Senate returned the bill (No. 1734, Int. No. 1008) entitled "An act to amend chapter four hundred and seventy-eight of the Laws of eighteen hundred and ninety-three, entitled 'An act to incorporate the city of Olean,' relative to ordinances enacted by the common council, and the enforcement thereof," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Olean.

The Senate returned the bill (No. 1469, Int. No. 1217) entitled "An act to provide for the taxation for school purposes of the lands owned by the State and situate within the boundaries of union free school district number one in the town of Danemora, Clinton county."

Also, the bill (No. 1751, Int. No. 551) entitled "An act to amend the Labor Law, relative to hours of labor on street surface and elevated railroads in cities of the first and second class."

Also, the bill (No. 2130, Int. No. 1037) entitled "An act to amend the Banking Law, relative to the payment of deposits in savings banks in the names of more than one person."

Also, the bill (No. 661, Int. No. 620) entitled "An act to provide for the taxation for school purposes of the lands owned by the State and situate within the boundaries of school district number seven of the town of Groveland, Livingston county."

Also, the bill (No. 1896, Int. No. 1156) entitled "An act to amend the Tax Law, in relation to real property exempt by law from taxation, and the publishing a list of such exempt property."

Also, the bill (No. 2116, Int. No. 1055) entitled "An act to amend chapter five hundred and eighty-four of the Laws of nineteen hundred and one, entitled 'An act to fix and establish the annual salary of the county judge of Westchester county, and repealing section two hundred and twenty-two of chapter six hundred and eighty-six of the Laws of eighteen hundred and ninety-two so far as it relates to Westchester county,' in relation to the salary of county judge," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill (No. 2211, Int. No. 205) entitled "An act to amend the Forest, Fish and Game Law, in relation to spearing fish in certain tributaries of Lake Ontario."

Also, the bill (No. 2212, Int. No. 651) entitled "An act to amend the Forest, Fish and Game Law, in relation to powers of the boards of supervisors in respect to nets, pounds and other illegal devices," with a message that they have reconsidered their vote by which said bills passed, and, as amended, have again passed the same.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 937, Int. No. 855) entitled "An act in relation to claims against the village of Ellenville for damages for personal injury or injury to property," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from

the Governor, for the purposes of amendment, Assembly bill (No. 248, Int. No. 247) entitled "An act to provide for the pensioning of Mary Hedeman, mother of patrolman William Hedeman, deceased," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. Charles F. Murphy gives notice that on Monday, April 22, 1907, he will call up Assembly bill (No. 478, Int. No. 465) entitled "An act relating to the Brooklyn college, authorizing and empowering educational institutions in the city of New York to consolidate with, merge in or enter into contracts with, the Brooklyn college, and authorizing and empowering the city of New York to establish and maintain said college," the same having been laid aside on the order of third reading.

On motion of Mr. Moreland, the House adjourned.

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#### MONDAY, APRIL 22, 1907.

The House met pursuant to adjournment.

Prayer by Rev. John J. Dominic, Gloversville.

On motion of Mr. Moreland, the reading of the journal of Friday, April 19, 1907, was dispensed with, and the same was approved.

Mr. Filley introduced a bill entitled "An act to amend the Executive Law, in relation to the salary of the State Superintendent of Weights and Measures, and the appointment and salary of a deputy superintendent of weights and measures" (Int. No. 1755), which was read the first time and referred to the committee on ways and means.

Mr. Robinson introduced a bill entitled "An act to amend chapter four hundred and ten of the Laws of eighteen hundred and eighty-two, as amended by chapter ten hundred and four of the Laws of eighteen hundred and ninety-five, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to the Court of General Sessions and its judges and officers" (Int.

No. 1756), which was read the first time and referred to the committee on affairs of cities.

Mr. Eichhorn introduced a bill entitled "An act to amend the Greater New York charter, in relation to the power of the police commissioner in respect to the disposition of patrolmen" (Int. No. 1757), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Volk introduced a bill entitled "An act to authorize the city of Olean to sell and convey to the United States of America a portion of the public square in said city" (Int. No. 1758), which was read the first time.

On motion of Mr. Volk, and by unanimous consent, said bill was read the second time and ordered to third reading, and referred to the committee on affairs of cities.

Also, by unanimous consent, "An act to authorize the city of Olean to acquire the revisionary interest and estate in the lands constituting the public square in said city" (Int. No. 1759), which was read the first time.

On motion of Mr. Volk, and by unanimous consent, said bill was read the second time and ordered to third reading and referred to the committee on affairs of cities.

By unanimous consent, Mr. Mance introduced a bill entitled "An act to incorporate the city of Port Jervis" (Int. No. 1760), which was read the first time.

On motion of Mr. Mance, and by unanimous consent, said bill was read the second time and ordered to third reading and referred to the committee on affairs of cities.

By unanimous consent, Mr. Hamn introduced a bill entitled "An act to revise, amend and consolidate the various acts relating to the village of Lyons, in the county of Wayne, and to repeal certain acts and parts of acts affecting such village" (Int. No. 1761), which was read the first time.

On motion of Mr. Hamn, and by unanimous consent, said bill was read the second time and ordered to third reading and referred to the committee on affairs of villages.

By unanimous consent, Mr. Prentice introduced a bill entitled "An act to amend the Primary Election Law, in relation to correcting the enrollment books in cities containing a population of

one million or over" (Int. No. 1762), which was read the first time and referred to the committee on the judiciary.

By unanimous consent, Mr. Brough introduced a bill entitled "An act to amend the Greater New York charter, in relation to rebates for prompt payment of taxes" (Int. No. 1763), which was read the first time.

On motion of Mr. Brough, and by unanimous consent, said bill was read the second time and ordered to third reading and referred to the committee on affairs of cities.

By unanimous consent, Mr. Eichhorn introduced a bill entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain taxes, assessments and water rates now existing liens against and affecting property situated in the borough of Brooklyn, city of New York, belonging to St. Malachy's Roman Catholic Church" (Int. No. 1764), which was read the first time.

On motion of Mr. Eichhorn, and by unanimous consent, said bill was read the second time and ordered to third reading and referred to the committee on affairs of cities.

By unanimous consent, Mr. Norton introduced a bill entitled "An act making an appropriation of moneys collected and due from racing associations for the promotion of agriculture" (Int. No. 1765), which was read the first time.

On motion of Mr. Norton, and by unanimous consent, said bill was read the second time and ordered to third reading and referred to the committee on ways and means.

By unanimous consent, Mr. Eggleston introduced a bill entitled "An act to amend the Agricultural Law, in relation to the manufacture and sale of vinegar" (Int. No. 1766), which was read the first time and referred to the committee on agriculture.

By unanimous consent, Mr. Dowling introduced a bill entitled "An act to amend the Tenement-House Act in relation to buildings of a certain character" (Int. No. 1767), which was read the first time.

On motion of Mr. Dowling, and by unanimous consent, said bill was read the second time and ordered to third reading and referred to the committee on affairs of cities.

By unanimous consent, Mr. O'Brian introduced a bill entitled

"An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' in relation to interpreter in proceedings before the police court and justice" (Int. No. 1768), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Weimert introduced a bill entitled "An act to amend the Banking Law in relation to the duties and reports of the directors of banks and trust companies" (Int. No. 1769), which was read the first time and referred to the committee on banks.

Also, by unanimous consent, "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of George W. Maltby against the State of New York, and to render judgment therefor" (Int. No. 1770), which was read the first time and referred to the committee on claims.

Mr. Moreland, from the committee on ways and means, to which was recommitted Assembly bill introduced by Mr. G. H. Whitney (No. 2112, Int. No. 1510), entitled "An act making an appropriation for the national encampment of the Grand Army of the Republic to be held in the village of Saratoga Springs in the month of September, nineteen hundred and seven," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Haines (No. 2156, Int. No. 1597), entitled "An act to authorize the common council of the city of Yonkers to establish sewage disposal plants in the Seventh ward, as now established, in the city of Yonkers and to empower the common council of said city to raise the necessary funds therefor."

Also, the bill introduced by Mr. Nevins (No. 2330, Int. No. 1687), entitled "An act to amend chapter one hundred and sixty-seven of the Laws of nineteen hundred and six, entitled 'An act to make the office of county clerk of Wyoming county a salaried office, and regulating the management of said office,' generally."

Also, the bill introduced by Mr. Duell (No. 2296, Int. No. 1671), entitled "An act to amend the charter of the city of New

Rochelle, in relation to the salary of the clerk of the board of education."

Also, the bill introduced by Mr. Stratton (No. 1485, Int. No. 1233), entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for trout in Chenango county."

Also, the bill introduced by Mr. Ralston (No. 2290, Int. No. 1664), entitled "An act to amend the Liquor Tax Law, in relation to places in which the traffic in liquor shall not be permitted."

Also, the bill introduced by Mr. Ferguson (No. 2070, Int. No. 1557), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Daniel F. Strobel and Dennis Moynahan, doing business under the firm name of Strobel and Moynahan, against the State for damages alleged to have been sustained by them and to render judgment therefor."

Also, the bill introduced by Mr. Newton (No. 1813, Int. No. 1423), entitled "An act to establish and maintain a water department in and for the city of Cortland."

Also, the bill introduced by Mr. Stanley (No. 376, Int. No. 371), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Mannheim Brown, against the State, for damages alleged to have been sustained by him, and to render judgment therefor."

Also, the bill introduced by Mr. Cu villier (No. 1717, Int. No. 1359), entitled "An act to prohibit the making or publishing of false or exaggerated statements or publications of or concerning the affairs, pecuniary condition or property of any corporation, joint stock association, copartnership or individual, which said statements or publications are intended to give, or shall have a tendency to give, a less or greater apparent value to the shares, bonds or property, or part thereof, of said corporation, joint stock association, copartnership or individual, than the said shares, bonds or property shall really and in fact possess, and providing a penalty therefor."

Also, the bill introduced by Mr. Mead (No. 1993, Int. No. 1533), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit, and determine the alleged claim of Oliver

A. Quayle, against the State, for damages alleged to have been sustained by him, and to render judgment therefor."

Also, the bill introduced by Mr. Staley (No. 1479, Int. No. 1227), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of A. L. Greene against the State for expenses incurred as a deputy factory inspector, and to render judgment therefor."

Also, the bill introduced by Mr. Cunningham (No. 1481, Int. No. 1229), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the First National Bank of Ellenville, New York, against the State of New York, and to render judgment therefor."

Also, the bill introduced by Mr. Croak (No. 1869, Int. No. 1454), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the claim of William W. Bryan for damages arising from the sale by the State Comptroller of the north half of lot number seven, great lot number seven, seventeenth allotment, Kayaderosseras patent, for the alleged non-payment of the taxes of eighteen hundred and ninety-six, town of Greenfield, Saratoga county, at tax sale of nineteen hundred, alleged to have been sustained by him, and to render judgment therefor."

Also, the bill introduced by Mr. Haines (No. 2158, Int. No. 1599), entitled "An act to establish a pension fund for the paid fire department of the city of Yonkers."

Also, the bill introduced by Mr. Duell (No. 2172, Int. No. 1614, entitled "An act to provide for the widening of West First street, otherwise known as West Lincoln avenue, in the city of Mount Vernon, from South Eleventh avenue in said city, to the New York city line, and providing for the expense of said improvement," reported the same without recommendation, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Filley (No. 1452, Int. No. 1207), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Arthur L. Condit against the State of New York, for damages alleged to

have been sustained in the autumn of nineteen hundred two," reported the same with the following recommendations:

On page 1, in second line of title, after "Condit" insert comma.

On page 1, in last line of title, after "sustained" insert "by him". Same page and line, after "two" strike out period and insert in place thereof " , and to render judgment therefor "

On page 2, line 14, after "procedure" insert period and strike out balance of said line and all of line 15.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Ferguson (No. 2071, Int. No. 1558), entitled "An act to confer upon the Court of Claims jurisdiction to hear, audit and determine the alleged claim against the State of the executors and devisees of Robert Earl, deceased," reported the same with the following recommendations:

On page 1, in second line of title, strike out "against the state".

On page 1, in last line of title, strike out period and insert in place thereof " , against the state, for compensation alleged to have been discontinued, and to render judgment therefor."

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. C. Smith (No. 944, Int. No. 862), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of James E. Shelland against the State of New York, for money alleged to have been expended and for services rendered as an officer in the Thirty-Ninth Regiment of the New York State Militia in the years eighteen hundred and sixty-one and eighteen hundred and sixty-two," reported the same with the following recommendation:

On page 1, in last line of title, strike out period and insert in place thereof " , and to render judgment therefor."

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Hammond (No. 1015, Int. No.

900), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of E. J. Lawless, doing business under the title name of the Lawless Paper Company, against the State of New York, and to render judgment therefor," reported the same with the following recommendation:

On page 1, in fourth line of title, after "New York," insert "for damages alleged to have been sustained by him,".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Lee (No. 1704, Int. No. 1346), entitled "An act in relation to avenue F in the borough of Brooklyn," reported the same with the following recommendation:

On page 1, in title, strike out "In relation to" and insert in place thereof "To prohibit the construction, maintenance or operation of any surface, elevated or steam railroad upon".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Cunningham (No. 1892, Int. No. 1479), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Clarence W. Francis against the State, for disbursements and expenditures by him as Deputy Attorney-General of the State of New York," reported the same with the following recommendations:

On page 1, in second line of title, after "Francis" insert comma.

On page 1, in last line of title, strike out period and insert in place thereof "and to render judgment therefor."

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. C. F. Murphy (No. 1986, Int. No. 1526), entitled "An act to authorize the city of New York to acquire lands on Prospect Heights in the borough of Brooklyn as sites for public buildings," reported the same with the following recommendation:

On page 1, in last line of title, strike out period and insert in

place thereof "and to provide for the establishment and maintenance of public educational institutions."

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Dominy (No. 2283, Int. No. 1657), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of James P. Cunningham against the State of New York, and to render judgment therefor," reported the same with the following recommendations:

On page 1, in second line of title, after "Cunningham," insert comma.

On page 1, in third line of title, after "New York," insert "for damages alleged to have been sustained by him,".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Merritt (No. 2292, Int. No. 1667), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Gustavus Kirby, and to render judgment therefor," reported the same with the following recommendations:

On page 1, in second line of title, after "Gustavus" insert "T."

Same page and line, after "Kirby," insert "against the state, for services performed, money expended and disbursements incurred as an attorney at law,".

On page 2, line 2, strike out "k" in "Frederick." Same page and line, strike out "B." and insert in place thereof "E."

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Croak (No. 2195, Int. No. 1615), entitled "An act to amend section one thousand one hundred and one of the Greater New York charter, relative to the appointment of teachers in the public schools," reported the same with the following recommendations:

On page 1, in first line of title, strike out "section one thousand one hundred and one of".

On page 1, line 2, after "charter" strike out "is" and insert in place thereof "as re-enacted by chapter four hundred and sixty-six of the laws of nineteen hundred and one, is hereby".

On page 1, after line 2, insert heading as follows: "Continuation in office of all employees under the public school system."

On page 2, line 2, after "offices" insert comma.

On page 2, line 14, after "intendents" insert comma.

On page 2, line 24, strike out second "the".

On page 3, line 3, after "shall" strike out comma.

On page 3, line 11, strike out "office" and insert in place thereof "offices".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. West, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Oliver A. Quayle against the State for damages alleged to have been sustained by him, and to render judgment therefor." (No. 1993, Int. No. 1533.)

"An act to prohibit the making or publishing of false or exaggerated statements of publications of or concerning the affairs, pecuniary condition or property of any corporation, joint stock association, copartnership or individual, which said statements or publications are intended to give, or shall have a tendency to give, a less or greater apparent value to the shares, bonds or property, or part thereof, of said corporation, joint stock association, copartnership or individual, than the said shares, bonds or property shall really and in fact possess, and providing a penalty therefor." (No. 1717, Int. No. 1359.)

"An act to amend chapter two hundred and twenty-eight of the Laws of eighteen hundred and ninety-five, entitled 'An act relating to the moneys received by the town of Hounsfield from the sale of stock in the Carthage, Watertown and Sacketts Harbor Railroad Company,' relative to the care and custody of such moneys, and the accounting and removal of railroad commissioner." (No. 2354, Int. No. 1674.)

"An act to amend the charter of the city of New Rochelle in relation to the salary of the clerk of the board of education." (No. 2296, Int. No. 1671.)

"An act to amend the Railroad Law, in relation to the protection of street railroad employees, in the county of Westchester." (No. 2355, Int. No. 1178.)

"An act to amend the Code of Civil Procedure, relative to fixing costs and allowances in surrogate's courts and the amount thereof." (No. 2342, Int. No. 1240.)

"An act to amend the Navigation Law, relative to authorizing temporary assignments of the inspectors of steam vessels to the Department of Labor." (No. 2341, Int. No. 1220.)

"An act to amend the Public Health Law by defining optometry and regulating the practice thereof." (No. 2356, Int. No. 452.)

"An act to amend the Penal Code, relative to ticket speculators, concerning public places of amusement." (No. 2340, Int. No. 1232.)

"An act to amend the Labor Law, relative to children working in streets and public places in cities of the first or second class." (No. 2353, Int. No. 1539.)

"An act to amend the Greater New York charter, in relation to licensing auctioneers." (No. 2339, Int. No. 857.)

"An act to establish a pension fund for the paid fire department of the city of Yonkers." (No. 2158, Int. No. 1599.)

"An act to amend the Liquor Tax Law, in relation to places in which the traffic in liquor shall not be permitted." (No. 2290, Int. No. 1664.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Daniel F. Strobel and Dennis Moynehan, doing business under the firm name of Strobel and Moynehan, against the State for damages alleged to have been sustained by them and to render judgment therefor." (No. 2070, Int. No. 1557.)

"Concurrent resolution of the Senate and Assembly proposing an amendment to section three of article two of the Constitution in relation to the qualification of certain voters. (No. 1858, Int. No. 1271.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Manheim Brown against the State for damages alleged to have been sustained by him, and to render judgment therefor." (No. 376, Int. No. 371.)

"An act to amend chapter three hundred and seventy-one of the Laws of eighteen hundred and ninety-three, entitled 'An act to revise and consolidate the several acts in relation to the village of Dansville, and to revise and amend the charter of said village and to repeal certain acts and parts of acts,' generally." (No. 2083, Int. No. 1570.)

"An act to amend chapter one hundred and sixty-seven of the Laws of nineteen hundred and six, entitled 'An act to make the office of county clerk of Wyoming county a salaried office, and regulating the management of said office,' generally." (No. 2330, Int. No. 1687.)

"An act to legalize the issuing of bonds of the town of Franklin, in the county of Franklin, authorized by the board of supervisors of said county, for the purpose of defraying the expense of filling in and repairing a portion of the highway leading from Loon lake to Bloomingdale, known as the 'Long Crossway,' in said town, and to provide for the payment of the principal and interest thereof." (No. 257, Int. No. 256.)

"An act to amend the Forest, Fish and Game Law, in relation to the close season for trout in Chenango county." (No. 1485, Int. No. 1233.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the First National Bank of Ellenville, New York, against the State of New York, and to render judgment therefor." (No. 1481, Int. No. 1229.)

"An act to authorize the common council of the city of Yonkers to establish sewage disposal plants in the seventh ward, as now established, in the city of Yonkers and to empower the common council of said city to raise the necessary funds therefor." (No. 2156, Int. No. 1597.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of A. L. Greene against the State for expenses incurred as a deputy factory inspector, and to render judgment therefor." (No. 1479, Int. No. 1227.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the claim of William W. Bryan for damages arising from the sale by the State Comptroller of the

north half of lot number seven, great lot number seven, seventeenth allotment, Kayaderosseras patent, for the alleged non-payment of the taxes of eighteen hundred and ninety-six, town of Greenfield, Saratoga county, at tax sale of nineteen hundred, alleged to have been sustained by him, and to render judgment therefor." (No. 1869, Int. No. 1454.)

"An act to provide for the widening of West First street, otherwise known as West Lincoln avenue in the city of Mount Vernon, from South Eleventh avenue in said city to the New York city line, and providing for the expense of said improvement." (No. 2172, Int. No. 1614.)

"An act to fix and determine salaries of the city treasurer and city comptroller in the city of Yonkers." (No. 1940, Int. No. 1488.)

"An act to amend the Insurance Law, relative to exception of the Fraternal Order of the Scandinavian Brotherhood of America from certain of its provisions." (No. 1760, Int. No. 1378.)

"An act to amend the Greater New York charter, relative to the department of docks and ferries." (No. 1780, Int. No. 1400.)

"An act to amend the Greater New York charter, in relation to police matrons." (No. 1585, Int. No. 1057.)

"An act to amend the Insurance Law, to permit **mutual fire** insurance companies or associations of other States to do business within this State; to regulate the business done by them, to tax the same; and to prohibit the insuring of property located in this State in unauthorized companies." (No. 1989, Int. No. 1529.)

"An act to provide for the government and to supplement the provisions of law relating to the city of Schenectady." (No. 2313, Int. No. 1519.)

Mr. Schoeneck offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on ways and means be discharged from the further consideration of the bill (No. 2272, Int. No. 1665), entitled "An act authorizing an increase in the water storage capacity of Otisco lake and its use as a source of water supply."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, Mr. Schoeneck moved to amend as follows:

On page 3, after line 7, insert a new section to read as follows:

"§ 5. In consideration of the rights and privileges hereby granted by the state to the Onondaga county suburban water company, said company, its successors and assigns shall, without charge therefor and under such regulations as shall be prescribed by the state fair commission, construct and maintain the necessary mains and conduits and convey from the main water conduit or line maintained by it and deliver upon the state fair grounds such supply of water as said commission shall reasonably require for the use of the state fair buildings and grounds."

On page 3, line 8, strike out "5" and insert "6".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Schoeneck, said bill was ordered reprinted and recommitted to the committee on ways and means.

Mr. Brooks offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on electricity, gas and water supply be discharged from the further consideration of the bill (No. 1065, Int. No. 932), entitled "An act to amend chapter four hundred and fifty-nine of the laws of eighteen hundred and ninety-three, entitled 'An act to incorporate the Economic Power and Construction Company,' generally."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, Mr. Brooks moved to amend as follows:

Page 3, strike out all of line 15, and insert in the place thereof the following:

"§ 2. This act shall not and does not, nor shall or does anything therein contained, waive any forfeiture or lapse or loss of the franchise or rights, powers or privileges or any of them of the said incorporated company, by reason of its failure to comply with any of the statutes of the state of New York applicable thereto, but any such forfeiture, lapse or loss shall be and is continued with the same full force and effect as if this act had not been enacted.

"§ 3. This act shall take effect immediately."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Brooks, said bill was ordered printed and recommitted to the committee on electricity, gas and water supply.

Mr. Weimert offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on codes be discharged from the further consideration of the bill (No. 744, Int. No. 687), entitled "An act to amend the code of civil procedure, relative to execution of an order of arrest."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, Mr. Weimert moved to amend as follows:

After the period on line 13 add the following: "If the defendant is arrested in a county other than that of the sheriff making the arrest, the sheriff at the defendant's request shall detain him in the county where the arrest was made until the defendant shall have had reasonable opportunity to procure bail, but not longer than forty-eight hours after the arrest."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Weimert, said bill was ordered printed and recommitted to the committee on codes.

The bill (No. 1616) entitled "An act to amend chapter four hundred and eighteen of the Laws of eighteen hundred and ninety-seven, entitled 'An act in relation to liens, constituting chapter forty-nine of the general law,' relating to the discharge of a lien by payment of money into court and the cancellation of notice of the pendency of action" (Int. No. 1306), was read the second time.

On motion of Mr. Weimert, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2109) entitled "An act to amend the Liquor Tax Law, in relation to places in which traffic in liquor shall not be permitted" (Int. No. 1584), was read the second time.

On motion of Mr. F. G. Whitney, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2028) entitled "An act to amend the Liquor Tax Law, in relation to violations and penalties, jurisdiction of courts

and reports of magistrates, and fees of sheriffs" (Int. No. 1553), was read the second time.

On motion of Mr. F. G. Whitney, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2110) entitled "An act to amend chapter nine hundred of the Laws of eighteen hundred and ninety-six, entitled 'An act authorizing the sale of ale and beer upon the premises of the New York State Soldiers and Sailors' Home, of Bath, New York, and providing for the expenditure of the net proceeds therefrom" (Int. No. 1585), having been announced for a second reading,

On motion of Mr. F. G. Whitney, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 479) entitled "An act to prevent fire insurance companies entering into or maintaining pools, trusts, conspiracies or agreements to control rates of insurance" (Int. No. 466), having been announced for second reading, debate was had thereon.

Mr. Hoey moved to recommit said bill to the committee on insurance.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

AYES 5

NOES 94

Those who voted in the affirmative were:

Boshart	Foley J A	Hoey	Schmidt	Wainwright
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Those who voted in the negative were:

Allen	De Groot	Gunderman	Mance	Smith A E
Averill	Dobbs	Hackett	Marlatt	Smith C
Baumann	Dominy	Hammond	Matthews	Stanton
Blue	Donnelly	Hamn	McCue	Stern
Bohan	Dowling	Harper	Merritt	Stevenson
Brooks	Draper	Harris	Mills	Surpluss
Brough	Duell	Hart	Murphy C F	Voss
Brown	Eggleston	Hastings	O'Brian	Wagner
Buckley	Eichhorn	Hubbs	Oliver	Walters
Burhyte	Farrell	Hurd	Parker	Waters
Burns	Ferguson	Keller	Patton	Weber
Cavanaugh	Feth	Lansing	Prince	West
Cole	Filley	Lee	Ralston	Whitley
Collins	Foley C F	Lewis	Reece	Whitney F G

Colné	Francis	Loos	Robinson	Whitney G H
Conklin	Ganly	Lowe	Schwegler	Wood
Conrady	Garbe	Lupton	Sheridan	Yale
Croak	Glore	Maher	Shuttleworth	Young
Cuvillier	Glynn	Mallon	Sinclair	

Said bill was then read the second time.

On motion of Mr. A. E. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1240) entitled "An act to amend 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same, and to provide for local option, constituting chapter twenty-nine of the general laws,' relative to the recovery of civil damages by reason of intoxication" (Int. No. 1069), was read the second time.

On motion of Mr. Stevenson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2194) entitled "An act to amend the Public Health Law in relation to the cutting and sale of ice" (Int. No. 1632), was read the second time.

On motion of Mr. G. H. Whitney, said bill was placed on the order of third reading and referred to the committee on revision.

Mr. Oliver in the chair.

The Senate bill (No. 693) entitled "An act to amend chapter seven hundred and eighteen of the Laws of nineteen hundred and four, entitled 'An act authorizing the selection of lands as a site for the New York State Training School for Boys, and establishing the said school,' as amended by chapter one hundred and thirty-three of the Laws of nineteen hundred and five, and by chapter six hundred and seventeen of the Laws of nineteen hundred and six, in relation to the grant by the Commissioners of the Land Office to the city of New York, of the sunken meadow in East river adjacent to Randall's Island, and of the land under water surrounding the same to the bulk-head line" (Rec. No. 126), was read the second time.

On motion of Mr. Prentice, said bill was placed on the order of third reading.

The bill (No. 2381) entitled "An act to revise the charter of the city of North Tonawanda" (Int. No. 969), was read the second time.

On motion of Mr. C. F. Foley, said bill was placed on the order of third reading and referred to the committee on revision.

By unanimous consent, Mr. Dowling called up the bill (No. 2142) entitled "An act to amend the Greater New York charter relative to the police pension fund and repealing section three hundred and sixty-six thereof" (Int. No. 954), heretofore laid aside on the order of third reading.

Said bill having been announced for third reading, Mr. Dowling moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Strike out all of section 2 on page 24.

Make figure "3" "2" on line 22, page 24.

Make figure "4" "3" on line 24, page 24.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Dowling, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 2261) entitled "An act to amend the Code of Civil Procedure, in relation to the distribution of personal property and to repeal subdivision three of section twenty-seven hundred and thirty-two" (Int. No. 587), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Shuttleworth
Averill	Dudley	Hammond	Merritt	Sinclair
Baldwin	Duell	Hamn	Miller	Smith A E
Blue	Eagleton	Harawitz	Mills	Smith C

Bohan	Eggleston	Harper	Mooney	Staley
Boshart	Eichhorn	Harris	Morgan	Stern
Brooks	Ferguson	Hart	Murphy C F	Stevenson
Brough	Feth	Hastings	Murphy G W	Stratton
Brown	Filley	Hoey	Nevins	Surpless
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Cole	Frisbie	Keller	Parker	Walters
Colné	Ganly	Lansing	Patton	Waters
Conklin	Garbe	Lee	Phillips	Weber
Conrady	Geoghagan	Lewis	Prince	Weimert
Croak	Glore	Loos	Ralston	Wells
Cunningham	Gluck	Lowe	Reece	West
Cuvillier	Glynn	Lupton	Robinson	Whitley
De Groot	Goldberg	Maher	Rogers	Whitney F G
Dobbs	Gray	Mallon	Schmidt	Whitney G H
Dominy	Green	Mance	Schoeneck	Wood
Donnelly	Gunderman	Marlatt	Schulz	Yale
Dowling	Hackett	Matthews	Sheridan	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2255) entitled "An act to amend chapter five hundred and ninety-six of the Laws of eighteen hundred and seventy-four, entitled 'An act to incorporate the Manhattan Mortgage Company,' in relation to loans on real estate" (Int. No. 1567), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Shuttleworth
Averill	Dudley	Hammond	Merritt	Sinclair
Baldwin	Duell	Hamn	Miller	Smith A E
Blue	Eagleton	Harawitz	Mills	Smith C
Bohan	Eggleston	Harper	Mooney	Staley
Boshart	Eichhorn	Harris	Morgan	Stern
Brooks	Ferguson	Hart	Murphy C F	Stevenson
Brough	Feth	Hastings	Murphy G W	Stratton
Brown	Filley	Hoey	Nevins	Surpless
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk

Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Cole	Frisbie	Keller	Parker	Walters
Colné	Ganly	Lansing	Patton	Waters
Conklin	Garbe	Lee	Phillips	Weber
Conrady	Geoghagan	Lewis	Prince	Weimert
Creak	Glore	Loos	Ralston	Wells
Cunningham	Gluck	Lowe	Reece	West
Cuv Ilier	Glynn	Lupton	Robinson	Whitley
De Groot	Goldberg	Maher	Rogers	Whitney F G
Dobbs	Gray	Mallon	Schmidt	Whitney G H
Dominy	Green	Mance	Schoeneck	Wood
Donnelly	Gunderman	Marlatt	Schulz	Yale
Dowling	Hackett	Matthews	Sheridan	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 1065) entitled "An act to release to Margaretha Ansay all the right, title and interest of the people of the State of New York in and to certain real estate situate in the city of Buffalo, county of Erie and State of New York, acquired by escheat or otherwise upon the death of Hyronimus Wagner" (Rec. No. 251), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Dudley	Hammond	Merritt	Sinclair
Averill	Duell	Hamn	Miller	Smith A E
Baldwin	Eagleton	Harawitz	Mills	Smith C
Blue	Eggleston	Harper	Mooney	Staley
Bohan	Eichhorn	Harris	Morgan	Stern
Boshart	Ferguson	Hart	Murphy C F	Stevenson
Brooks	Feth	Hastings	Murphy G W	Stratton
Brough	Filley	Hoey	Nevins	Surpluss
Brown	Flanagan	Holmes	Newton	Todd
Buckley	Foley C F	Hooper	Northrup	Volk
Burhyte	Foley J A	Hubbs	Norton	Voss
Burns	Fowler	Hurd	O'Brian	Waddell
Burzynski	Francis	Jackson	Oliver	Wagner
Cavanaugh	Frisbie	Keller	Parker	Walters
Cole	Ganly	Lansing	Patton	Waters
Colné	Garbe	Lee	Phillips	Weber

Conklin	Geoghagan	Lewis	Prince	Weimert
Conrady	Glore	Loos	Ralston	Wells
Croak	Gluck	Lowe	Reece	West
Cunningham	Glynn	Lupton	Robinson	Whitley
Cuvillier	Goldberg	Maher	Rogers	Whitney F G
De Groot	Gray	Mallon	Schmidt	Whitney G H
Dobbs	Green	Mance	Schoeneck	Wood
Dominy	Gunderman	Marlatt	Schulz	Yale
Dowling	Hackett	Matthews	Sheridan	Young
Draper	Hamilton	McCue	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1354) entitled "An act to amend the Forest, Fish and Game Law, in relation to protection against forest fires" (Int. No. 1134), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES' 130

NOES 1

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Shuttleworth
Averill	Dudley	Hammond	Merritt	Sinclair
Baldwin	Duell	Hamn	Miller	Smith A E
Blue	Eagleton	Harawitz	Mills	Smith C
Bohan	Eggleston	Harper	Mooney	Staley
Boshart	Eichhorn	Harris	Morgan	Stern
Brooks	Ferguson	Hart	Murphy C F	Stevenson
Brough	Feth	Hastings	Murphy G W	Stratton
Brown	Filley	Hoey	Nevins	Surpluss
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Cole	Frisbie	Keller	Parker	Walters
Colné	Ganly	Lansing	Patton	Waters
Conklin	Garbe	Lee	Phillips	Weber
Conrady	Geoghagan	Lewis	Prince	Weimert
Croak	Glore	Loos	Ralston	Wells
Cunningham	Gluck	Lowe	Reece	West
Cuvillier	Glynn	Lupton	Robinson	Whitley
De Groot	Goldberg	Maher	Rogers	Whitney F G
Dobbs	Gray	Mallon	Schmidt	Whitney G H

Dominy	Green	Mance	Schoeneck	Wood
Donnelly	Gunderman	Marlatt	Schulz	Yale
Dowling	Hackett	Matthews	Sheridan	Young

In the negative:

Moreland

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker in the chair.

The bill (No. 2317) entitled "An act to amend chapter four hundred and eighty-eight of the Laws of eighteen hundred and ninety-nine, entitled 'An act authorizing the sale of property left in street surface railroad cars, and the disposition of the proceeds thereof,' relative to cabs, coaches, stages and other similar vehicles" (Int. No. 1295), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Shuttleworth
Averill	Dudley	Hammond	Merritt	Sinclair
Baldwin	Duell	Hamn	Miller	Smith A E
Blue	Eagleton	Harawitz	Mills	Smith C
Bohan	Eggleston	Harper	Mooney	Staley
Boshart	Eichhorn	Harris	Morgan	Stern
Brooks	Ferguson	Hart	Murphy C F	Stevenson
Brough	Feth	Hastings	Murphy G W	Stratton
Brown	Filley	Hoe	Nevins	Surpless
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Cole	Frisbie	Keller	Parker	Walters
Colné	Ganly	Lansing	Patton	Waters
Conklin	Garbe	Lee	Phillips	Weber
Conrady	Geoghagan	Lewis	Prince	Weimert
Croak	Glore	Loos	Ralston	Wells
Cunningham	Gluck	Lowe	Reece	West

Cuvillier	Glynn	Lupton	Robinson	Whitley
De Groot	Goldberg	Maher	Rogers	Whitney F G
Dobbs	Gray	Mallon	Schmidt	Whitney G H
Dominy	Green	Mance	Schoeneck	Wood
Donnelly	Gunderman	Marlatt	Schulz	Yale
Dowling	Hackett	Matthews	Sheridan	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

By unanimous consent, Mr. Hastings offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on internal affairs be discharged from the further consideration of the Senate bill (No. 1060, Rec. No. 256), entitled "An act to amend chapter forty-four of the laws of eighteen hundred and fifty-three, entitled 'An act for the better support of the poor, in the town of Newburgh, in the county of Orange,' in relation to the time of reports and estimates of the commissioners of the almshouse."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, on motion of Mr. Hastings, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Hastings, said bill was referred to the committee on revision to compare with the Assembly bill (No. 2309, Int. No. 1521), same title and subject, now on the order of third reading, and report if the same are identical and, if found identical, that said Senate bill be substituted for said Assembly bill.

The bill (No. 2309) entitled "An act to amend chapter forty-four of the Laws of eighteen hundred and fifty-three, entitled 'An act for the better support of the poor, in the town of Newburgh, county of Orange,' in relation to said town receiving credit for excise moneys" (Int. No. 1521), having been announced for a third reading,

On motion of Mr. Hastings, said bill was recommitted to the committee on revision, retaining its place on the order of third reading.

The bill (No. 2306) entitled "An act to amend chapter two hundred and thirty-six of the Laws of nineteen hundred and five, entitled 'An act to authorize the common council of the city of New Rochelle to procure an assessment map of said city, and to

issue bonds in payment therefor,' relative to the rate of interest to be paid on bonds" (Int. No. 1538), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Shuttleworth
Averill	Dudley	Hammond	Merritt	Sinclair
Baldwin	Duell	Hamn	Miller	Smith A E
Blue	Eagleton	Harawitz	Mills	Smith C
Bohan	Eggleston	Harper	Mooney	Staley
Boshart	Eichhorn	Harris	Morgan	Stern
Brooks	Ferguson	Hart	Murphy C F	Stevenson
Brough	Feth	Hastings	Murphy G W	Stratton
Brown	Filley	Hoey	Nevins	Surpless
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Vclck
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Cole	Frisbie	Keller	Parker	Walters
Colne	Ganly	Lansing	Patton	Waters
Conklin	Garbe	Lee	Phillips	Weber
Conrady	Geoghagan	Lewis	Prince	Weimert
Croak	Glore	Loos	Ralston	Wells
Cunningham	Gluck	Lowe	Reete	West
Cuvillier	Glynn	Lupton	Robinson	Whitley
De Groot	Goldberg	Maher	Rogers	Whitney F G
Dobbs	Gray	Mallon	Schmidt	Whitney G H
Dominy	Green	Mance	Schoeneck	Wood
Donnelly	Gunderman	Marlatt	Schulz	Yale
Dowling	Hackett	Matthews	Sheridan	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2316) entitled "An act to amend the Agricultural Law, in relation to selling and shipping milk and cream" (Int. No. 1549), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Shuttleworth
Averill	Dudley	Hammond	Merritt	Sinclair
Baldwin	Duell	Hamn	Miller	Smith A E
Blue	Eagleton	Harawitz	Mills	Smith C
Bohan	Eggleston	Harper	Mooney	Staley
Boshart	Eichhorn	Harris	Morgan	Stern
Brooks	Ferguson	Hart	Murphy C F	Stevenson
Brough	Feth	Hastings	Murphy G W	Stratton
Brown	Fille	Hoey	Nevins	Surpluss
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Cole	Frisbie	Keller	Parker	Walters
Colne	Ganly	Lansing	Patton	Waters
Conklin	Garoe	Lee	Phillips	Weber
Conrady	Geoghagan	Lewis	Prince	Weimert
Croak	Glore	Loos	Ralston	Wells
Cunningham	Gluck	Lowe	Reece	West
Cuvillier	Glynn	Lupton	Robinson	Whitley
De Groot	Goldberg	Maher	Rogers	Whitney F G
Dobbs	Gray	Mallon	Schmidt	Whitney G H
Dominy	Green	Mance	Schoeneck	Wood
Donnelly	Gunderman	Marlatt	Schulz	Yale
Dowling	Hackett	Matthews	Sheridan	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2310) entitled "An act to amend chapter three hundred and eighty-two of the Laws of eighteen hundred and fifty-seven, entitled 'An act in relation to schools and academies in the village of Ogdensburg,' in relation to the rate of taxation for school purposes" (Int. No. 1175), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Shuttleworth
Averill	Dudley	Hammond	Merritt	Sinclair
Baldwin	Duell	Hamn	Miller	Smith A E
Blue	Eagleton	Harawitz	Mills	Smith C
Bohan	Eggleston	Harper	Mooney	Staley
Boshart	Eichhorn	Harris	Morgan	Stern
Brooks	Ferguson	Hart	Murphy C F	Stevenson
Brough	Feth	Hastings	Murphy G W	Stratton
Brown	Filley	Hoey	Nevins	Surpless
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Cole	Frisbie	Keller	Parker	Walters
Colné	Ganly	Lansing	Patton	Waters
Conklin	Garbe	Lee	Phillips	Weber
Conrady	Geoghagan	Lewis	Prince	Weimert
Croak	Glore	Loos	Ralston	Wells
Cunningham	Gluck	Lowe	Reece	West
Cuvillier	Glynn	Lupton	Robinson	Whitley
De Groot	Goldberg	Maher	Rogers	Whitney F G
Dobbs	Gray	Mallon	Schmidt	Whitney G H
Dominy	Green	Mance	Schoeneck	Wood
Donnelly	Gunderman	Marlatt	Schulz	Yale
Dowling	Hackett	Matthews	Sheridan	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2314) entitled "An act to amend chapter two hundred and thirty-three of the Laws of eighteen hundred and eighty-four, entitled 'An act providing for the election and compensation of a coroner in the county of Onondaga,' and for post-mortem examinations in coroners' cases in said county" (Int. No. 774), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Shuttleworth
Averill	Dudley	Hammond	Merritt	Sinclair
Baldwin	Duell	Hamn	Miller	Smith A E
Blue	Eagleton	Harawitz	Mills	Smith C
Bohan	Eggleston	Harper	Mooney	Staley
Boshart	Eichhorn	Harris	Morgan	Stern
Brooks	Ferguson	Hart	Murphy C F	Stevenson
Brough	Feth	Hastings	Murphy G W	Stratton
Brown	Filley	Hoey	Nevins	Surpless
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Cole	Frisbie	Keller	Parker	Walters
Colné	Ganly	Lansing	Patton	Waters
Conklin	Garbe	Lee	Phillips	Weber
Conrady	Geoghagan	Lewis	Prince	Weimert
Croak	Glore	Loos	Ralston	Wells
Cunningham	Gluck	Lowe	Reece	West
Cuvillier	Glynn	Lupton	Robinson	Whitley
De Groot	Goldberg	Maher	Rogers	Whitney F G
Dobbs	Gray	Mallon	Schmidt	Whitney G H
Dominy	Green	Mance	Schoeneck	Wood
Donnelly	Gunderman	Marlatt	Schulz	Yale
Dowling	Hackett	Matthews	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

The bill (No. 2307) entitled "An act to amend chapter five hundred and forty-six of the Laws of nineteen hundred and six, entitled 'An act to authorize the common council of the city of New Rochelle to issue and sell bonds of said city for the uses and purposes of the fire department of said city,' relative to the rate of interest to be paid on bonds" (Int. No. 1537), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Shuttleworth
Averill	Dudley	Hammond	Merritt	Sinclair
Baldwin	Duell	Hamn	Miller	Smith A E
Blue	Eagleton	Harawitz	Mills	Smith C
Bohan	Eggleston	Harper	Mooney	Staley
Boshart	Eichhorn	Harris	Morgan	Stern
Brooks	Ferguson	Hart	Murphy C F	Stevenson
Brough	Feth	Hastings	Murphy G W	Stratton
Brown	Filley	Hoev	Nevins	Surpless
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Cole	Frisbie	Keller	Parker	Walters
Colne	Ganly	Lansing	Patton	Waters
Conklin	Garbe	Lee	Phillips	Weber
Conrady	Geoghagan	Lewis	Prince	Weimert
Croak	Glore	Loos	Ralston	Wells
Cunningham	Gluck	Lowe	Reece	West
Cuvillier	Glynn	Lupton	Robinson	Whitley
De Groot	Goldberg	Maher	Rogers	Whitney F G
Dobbs	Gray	Mallon	Schmidt	Whitney G H
Dominy	Green	Mance	Schoenек	Wood
Donnelly	Gunderman	Marlatt	Schulz	Yale
Dowling	Hackett	Matthews	Sheridan	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2315) entitled "An act to amend the Lien Law, in relation to liens on personal property" (Int. No. 598), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Shuttleworth
Averill	Dudley	Hammond	Merritt	Sinclair
Baldwin	Duell	Hamn	Miller	Smith A E
Blue	Eagleton	Harawitz	Mills	Smith C
Bohan	Eggleston	Harper	Mooney	Staley
Boshart	Eichhorn	Harris	Morgan	Stern
Brooks	Ferguson	Hart	Murphy C F	Stevenson

Brough	Feth	Hastings	Murphy G W	Stratton
Brown	Filley	Hoey	Nevins	Surples
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Cole	Frisbie	Keller	Parker	Walters
Colné	Ganly	Lansing	Patton	Waters
Conklin	Garbe	Lee	Phillips	Weber
Conrady	Geoghagan	Lewis	Prince	Weimert
Croak	Glore	Loos	Ralston	Wells
Cunningham	Gluck	Lowe	Reece	West
Cuvillier	Glynn	Lupton	Robinson	Whitley
De Groot	Goldberg	Maher	Rogers	Whitney F G
Dobbs	Gray	Mallon	Schmidt	Whitney G H
Dominy	Green	Mance	Schoeneck	Wood
Donnelly	Gunderman	Marlatt	Schulz	Yale
Dowling	Hackett	Matthews	Sheridan	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2308) entitled "An act to amend the Greater New York charter, relative to the publication and distribution of reports of city departments, the publication of contracts, new appointments and increase of salaries" (Int. No. 1491), having been announced for a third reading,

On motion of Mr. Burns, said bill was recommitted to the committee on affairs of cities, retaining its place on the order of third reading.

The bill (No. 2311) entitled "An act to amend the Greater New York charter, relative to the classification of criminals and misdemeanants" (Int. No. 1561), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Shuttleworth
Averill	Dudley	Hammond	Merritt	Sinclair
Baldwin	Duell	Hamn	Miller	Smith A E
Blue	Eagleton	Harawitz	Mills	Smith C

Bohan	Eggleston	Harper	Mooney	Staley
Boshart	Eichhorn	Harris	Morgan	Stern
Brooks	Ferguson	Hart	Murphy C F	Stevenson
Brough	Feth	Hastings	Murphy G W	Stratton
Brown	Filley	Hoey	Nevins	Surpluss
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Chamberlain	Frisbie	Keller	Parker	Walters
Cole	Ganly	Lansing	Patton	Waters
Colné	Garbe	Lee	Phillips	Weber
Conklin	Geoghagan	Lewis	Prince	Weimert
Conrady	Glore	Loos	Ralston	Wells
Croak	Gluck	Lowe	Reece	West
Cuvillier	Glynn	Lupton	Robinson	Whitley
De Groot	Goldberg	Maher	Rogers	Whitney F G
Dobbs	Gray	Mallon	Schmidt	Whitney G H
Dominy	Green	Mance	Schoeneck	Wood
Donnelly	Gunderman	Marlatt	Schulz	Yale
Dowling	Hackett	Matthews	Sheridan	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2219) entitled "An act to amend the Domestic Commerce Law, relative to unlawful detention of milk cans and courts having jurisdiction of violations" (Int. No. 858), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Shuttleworth
Averill	Dudley	Hammond	Merritt	Sinclair
Baldwin	Duell	Hamn	Miller	Smith A E
Blue	Eagleton	Harawitz	Mills	Smith C
Bohan	Eggleston	Harper	Mooney	Staley
Boshart	Eichhorn	Harris	Morgan	Stern
Brooks	Ferguson	Hart	Murphy C F	Stevenson
Brough	Feth	Hastings	Murphy G W	Stratton
Brown	Filley	Hoey	Nevins	Surpluss
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell

Cavanaugh	Francis	Jackson	Oliver	Wagner
Cole	Frisbie	Keller	Parker	Walters
Colné	Ganly	Lansing	Patton	Waters
Conklin	Garbe	Lee	Phillips	Weber
Conrad	Geoghagan	Lewis	Prince	Weimert
Croak	Glore	Loos	Ralston	Wells
Cunningham	Gluck	Lowe	Reece	West
Cuvillier	Glynn	Lupton	Robinson	Whitley
De Groot	Goldberg	Maher	Rogers	Whitney F G
Dobbs	Gray	Mallon	Schmidt	Whitney G H
Dominy	Green	Mance	Schoeneck	Wood
Donnelly	Gunderman	Marlatt	Schulz	Yale
Dowling	Hackett	Matthews	Sheridan	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1157) entitled "An act to enable John Montgomery to be admitted to practice as an attorney and counselor at law of the Supreme Court of the State of New York" (Int. No. 1000), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 7

Those who voted in the affirmative were:

Allen	Dudley	Hamiton	McCue	Sheridan
Averill	Duell	Hammond	Merritt	Shuttleworth
Baldwin	Eagleton	Hamn	Miller	Sinclair
Blue	Eggleston	Harawitz	Mills	Smith A E
Bohan	Fichhorn	Harper	Mooney	Smith C
Boshart	Ferguson	Harris	Morgan	Staley
Brooks	Feth	Hart	Murphy C F	Stevenson
Brough	Filley	Hastings	Murphy G W	Stratton
Brown	Flanagan	Hoey	Nevins	Todd
Buckley	Foley C F	Holmes	Newton	Volk
Burhyte	Foley J A	Hooper	Northrup	Voss
Burns	Fowler	Hubbs	Norton	Waddell
Burzynski	Francis	Hurd	O'Brian	Wagner
Cavanaugh	Frisbie	Jackson	Oliver	Walters
Cole	Ganly	Keller	Parker	Waters
Colné	Garbe	Lansing	Patton	Weber
Conklin	Geoghagan	Lewis	Phillips	Weimert
Conrad	Glore	Loos	Prince	Wells
Croak	Gluck	Lowe	Ralston	West
Cunningham	Glynn	Lupton	Reece	Whitley
De Groot	Goldberg	Maher	Robinson	Whitney F G
Dobbs	Gray	Mallon	Rogers	Whitney G H

Dominy	Green	Mance	Schmidt	Wood
Donnelly	Gunderman	Marlatt	Schoeneck	Yale
Dowling	Hackett	Matthews	Schulz	Young
Draper				

Those who voted in the negative were:

Cuvillier	Moreland	Stern	Surpless	Wainwright
Lee	Prentice,			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 726) entitled "An act to authorize the town of Lewiston, Niagara county, to pay a certain portion of the expense of improving the highways from Lewiston to Dickersonville" (Int. No. 669), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Shuttleworth
Averill	Dudley	Hammond	Merritt	Sinclair
Baldwin	Duell	Hamn	Miller	Smith A E
Blue	Eagleton	Harawitz	Mills	Smith C
Bohan	Eggleston	Harper	Mooney	Staley
Boshart	Eichhorn	Harris	Morgan	Stern
Brooks	Ferguson	Hart	Murphy C F	Stevenson
Brough	Feth	Hastings	Murphy G W	Stratton
Brown	Filley	Hoey	Nevins	Surpless
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Cole	Frisbie	Keller	Parker	Walters
Colne	Ganly	Lansing	Patton	Waters
Conklin	Garbe	Lee	Phillips	Weber
Conrady	Geoghagan	Lewis	Prince	Weimert
Croak	Glore	Loos	Ralston	Welis
Cunningham	Gluck	Lowe	Reece	West
Cuvillier	Glynn	Lupton	Robinson	Whitley
De Groot	Goldberg	Maher	Rogers	Whitney F G
Dobbs	Gray	Mallon	Schmidt	Whitney G H
Dominy	Green	Mance	Schoeneck	Wood
Donnelly	Gunderman	Marlatt	Schulz	Yale
Dowling	Hackett	Matthews	Sheridan	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1887) entitled "An act to annex to union free school district number twenty-one of the town of Hempstead, Nassau county, a part of the territory of union free school district number eleven of the town of Hempstead" (Int. No. 1474), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Shuttleworth
Averill	Dudley	Hammond	Merri	Sinclair
Baldwin	Duell	Hamn	Mille:	Smith A E
Blue	Eagleton	Harawitz	Mills	Smith C
Bohan	Eggleston	Harper	Mooney	Staley
Boshart	Fichhorn	Harris	Morgan	Stern
Brooks	Ferguson	Hart	Murphy C F	Stevenson
Brough	Feth	Hastings	Murphy G W	Stratton
Brown	Fillely	Hoey	Nevins	Surpless
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Cole	Frisbie	Keller	Parker	Walters
Colne	Ganly	Lansing	Patton	Waters
Conklin	Garbe	Lee	Phillips	Weber
Conrad	Geoghagan	Lewis	Prince	Weimert
Croak	Glore	Loos	Ralston	Wells
Cunningham	Gluck	Lowe	Reece	West
Cuvillier	Glynn	Lupton	Robinson	Whitley
De Groot	Goldberg	Maher	Rogers	Whitney F G
Dobbs	Gray	Mallon	Schmidt	Whitney G H
Dominy	Green	Mance	Schoeneck	Wood
Donnelly	Gunderman	Marlatt	Schulz	Yale
Dowling	Hackett	Matthews	Sheridan	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2326) entitled "An act to authorize the board of supervisors of Broome county to pay certain accounts incurred

in connection with the centennial celebration in said county and to levy a tax therefor" (Int. No. 1682), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Shuttleworth
Averill	Dudley	Hammond	Merritt	Sinclair
Baldwin	Duell	Hamn	Miller	Smith A E
Blue	Eagleton	Harawitz	Mills	Smith C
Bohn	Eggleston	Harper	Mooney	Staley
Boshart	Eichhorn	Harris	Morgan	Stern
Brooks	Ferguson	Hart	Murphy C F	Stevenson
Brough	Feth	Hastings	Murphy G W	Stratton
Brown	Filley	Hoey	Nevins	Surpless
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Cole	Frisbie	Keller	Parker	Walters
Colne	Ganly	Lansing	Patton	Waters
Conklin	Garbe	Lee	Phillips	Weber
Conrady	Geoghagan	Lewis	Prince	Weimert
Croak	Glore	Loos	Ralston	Wells
Cunningham	Gluck	Lowe	Reece	West
Cuvillier	Glynn	Lupton	Robinson	Whitley
De Groot	Goldberg	Maher	Rogers	Whitney F G
Dobbs	Gray	Mallon	Schmidt	Whitney G H
Dominy	Green	Mance	Schoeneck	Wood
Donnelly	Gunderman	Marlatt	Schulz	Yale
Dowling	Hackett	Matthews	Sheridan	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2154) entitled "An act to amend chapter four hundred and twenty-one of the Laws of eighteen hundred and fifty-five, entitled 'An act to regulate the liability of hotel-keepers and owners and managers of steamboats navigating the waters of this State,' in relation to limiting the liability of hotel-keepers in certain cases" (Int. No. 1595), was read the third time,

having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Shuttleworth
Averill	Dudley	Hammond	Merritt	Sinclair
Baldwin	Duell	Hamn	Miller	Smith A E
Blue	Eagleton	Harawitz	Mills	Smith C
Bohan	Eggleston	Harper	Mooney	Staley
Boshart	Eichhorn	Harris	Morgan	Stern
Brooks	Ferguson	Hart	Murphy C F	Stevenson
Brough	Feth	Hastings	Murphy G W	Stratton
Brown	Filley	Hoey	Nevins	Surpless
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Cole	Frisbie	Keller	Parker	Walters
Colné	Ganly	Lansing	Patton	Waters
Conklin	Garbe	Lee	Phillips	Weber
Conrady	Geoghagan	Lewis	Prince	Weimert
Croak	Glore	Loos	Ralston	Wells
Cunningham	Gluck	Lowe	Reece	West
Cuvillier	Glynn	Lupton	Robinson	Whitley
De Groot	Goldberg	Maher	Rogers	Whitney F G
Dobbs	Gray	Mallon	Schmidt	Whitney G H
Dominy	Green	Mance	Schoeneck	Wood
Donnelly	Gunderman	Marlatt	Schulz	Yale
Dowling	Hackett	Matthews	Sheridan	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1353) entitled "An act to amend the Forest, Fish and Game Law, in relation to private parks, and repealing certain sections thereof" (Int. No. 1133), having been announced for a third reading,

On motion of Mr. Merritt, and by unanimous consent, said bill was ordered placed on the third reading calendar for Thursday next.

The bill (No. 1173) entitled "An act to protect the purchasers

on sales of real estate where the deed was executed by an attorney-in-fact prior to January first, eighteen hundred and seventy-five" (Int. No. 1014), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Shuttleworth
Averill	Dudley	Hammond	Merritt	Sinclair
Baldwin	Duell	Hamn	Miller	Smith A E
Blue	Eagleton	Harawitz	Mills	Smith C
Bohan	Eggleston	Harper	Mooney	Staley
Boshart	Eichhorn	Harris	Morgan	Stern
Brooks	Ferguson	Hart	Murphy C F	Stevenson
Brough	Feth	Hastings	Murphy G W	Stratton
Brown	Filley	Hoey	Nevins	Surpless
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Cole	Frisbie	Keller	Parker	Walters
Colne	Ganly	Lansing	Patton	Waters
Conklin	Garbe	Lee	Phillips	Weber
Conrady	Geoghagan	Lewis	Prince	Weimert
Croak	Glore	Loos	Ralston	Wells
Cunningham	Gluck	Lowe	Reece	West
Cuvillier	Glynn	Lupton	Robinson	Whitley
De Groot	Goldberg	Maher	Rogers	Whitney F G
Dobbs	Gray	Mallon	Schmidt	Whitney G H
Dominy	Green	Mance	Schoeneck	Wood
Donnelly	Gunderman	Marlatt	Schulz	Yale
Dowling	Hackett	Matthews	Sheridan	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 689) entitled "An act to amend the Village Law, relative to powers, duties and fees of policemen" (Int. No. 646), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Shuttleworth
Averill	Dudley	Hammond	Merritt	Sinclair
Baldwin	Duell	Hamn	Miller	Smith A E
Blue	Eagleton	Harawitz	Mills	Smith C
Bohan	Eggleston	Harper	Mooney	Staley
Boshart	Eichhorn	Harris	Morgan	Stern
Brooks	Ferguson	Hart	Murphy C F	Stevenson
Brough	Feth	Hastings	Murphy G W	Stratton
Brown	Fille	Hoey	Nevins	Surpless
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Cole	Frisbie	Keller	Parker	Walters
Colne	Ganly	Lansing	Patton	Waters
Conklin	Garbe	Lee	Phillips	Weber
Conrad	Geoghagan	Lewis	Prince	Weimert
Croak	Glore	Loos	Ralston	Wells
Cunningham	Gluck	Lowe	Reece	West
Cuvillier	Glynn	Lupton	Robinson	Whitley
De Groot	Goldberg	Maher	Rogers	Whitney F G
Dobbs	Gray	Mallon	Schmidt	Whitney G H
Dominy	Green	Mance	Schoeneck	Wood
Donnelly	Gunderman	Marlatt	Schulz	Yale
Dowling	Hackett	Matthews	Sheridan	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2201) entitled "An act to amend chapter five hundred sixty-eight of the Laws of eighteen hundred and ninety, entitled 'An act in relation to highways, constituting chapter nineteen of the general laws,' in relation to appeals" (Int. No. 903), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Shuttleworth
Averill	Dudley	Hammond	Merritt	Sinclair
Baldwin	Duell	Hamn	Miller	Smith A E
Blue	Eagleton	Harawitz	Mills	Smith C
Bohan	Eggleston	Harper	Mooney	Staley
Boshart	Eichhorn	Harris	Morgan	Stern
Brooks	Ferguson	Hart	Murphy C F	Stevenson
Brough	Feth	Hastings	Murphy G W	Stratton
Brown	Filley	Hoey	Nevins	Surpless
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Cole	Frisbie	Keller	Parker	Walters
Colné	Ganly	Lansing	Patton	Waters
Couklin	Garbe	Lee	Phillips	Weber
Conrady	Geoghagan	Lewis	Prince	Weimert
Croak	Glore	Loos	Ralston	Wells
Cunningham	Gluck	Lowe	Reece	West
Cuvillier	Glynn	Lupton	Robinson	Whitley
De Groot	Goldberg	Maher	Rogers	Whitney F G
Dobbs	Gray	Mallon	Schmidt	Whitney G H
Dominy	Green	Mance	Schoeneck	Wood
Donnelly	Gunderman	Marlatt	Schulz	Yale
Dowling	Hackett	Matthews	Sheridan	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 371) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for grouse, woodcock, quail and squirrels in the county of Washington" (Int. No. 366), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Shuttleworth
Averill	Dudley	Hammond	Merritt	Sinclair
Baldwin	Duell	Hamn	Miller	Smith A E
Blue	Eagleton	Harawitz	Mills	Smith C

Bohan	Eggleston	Harper	Mooney	Staley
Boshart	Eichhorn	Harris	Morgan	Stern
Brooks	Ferguson	Hart	Murphy C F	Stevenson
Brough	Feth	Hastings	Murphy G W	Stratton
Brown	Filley	Hoey	Nevins	Surpluss
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Cole	Frisbie	Keller	Parker	Walters
Colne	Ganly	Lansing	Patton	Waters
Conklin	Garbe	Lee	Phillips	Weber
Conrady	Geoghagan	Lewis	Prince	Weimert
Croak	Glore	Loos	Ralston	Wells
Cunningham	Gluck	Lowe	Reece	West
Cuvillier	Glynn	Lupton	Robinson	Whitley
De Groot	Goldberg	Maher	Rogers	Whitney F G
Dobbs	Gray	Mallon	Schmidt	Whitney G H
Dominy	Green	Mance	Schoeneck	Wood
Donnelly	Gunderman	Marlatt	Schulz	Yale
Dowling	Hackett	Matthews	Sheridan	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 675) entitled "An act to authorize the city of Utica and the various departments thereof, to make up and levy a tax budget during the year nineteen hundred and seven" (Rec. No. 188), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Shuttleworth
Averill	Dudley	Hammond	Merritt	Sinclair
Baldwin	Duell	Hamm	Miller	Smith A E
Blue	Eagleton	Harawitz	Mills	Smith C
Bohan	Eggleston	Harper	Mooney	Staley
Boshart	Eichhorn	Harris	Morgan	Stern
Brooks	Ferguson	Hart	Murphy C F	Stevenson
Brough	Feth	Hastings	Murphy G W	Stratton
Brown	Filley	Hoey	Nevins	Surpluss
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell

Cavanaugh	Francis	Jackson	Oliver	Wagner
Cole	Frisbie	Keller	Parker	Walters
Colné	Ganly	Lansing	Patton	Waters
Conklin	Garbe	Lee	Phillips	Weber
Conrady	Geoghagan	Lewis	Prince	Weimert
Croak	Glore	Loos	Ralston	Wells
Cunningham	Gluck	Lowe	Reece	West
Cuvillier	Glynn	Lupton	Robinson	Whitley
De Groot	Goldberg	Maher	Rogers	Whitney F G
Dobbs	Gray	Mallon	Schmidt	Whitney G H
Dominy	Green	Mance	Schoeneck	Wood
Donnelly	Gundermann	Marlatt	Schulz	Yale
Dowling	Hackett	Matthews	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 910) entitled "An act to authorize the board of estimate and apportionment of the city of New York in its discretion to examine, audit and allow the balance of certain claims for reimbursement and compensation for expenditures made because of damages alleged to have been suffered by reason of the changes made in the grades of certain streets pursuant to a resolution of the board of aldermen, remaining unpaid after the payment of the part of said claims authorized to be allowed by chapter five hundred and ninety-nine of the Laws of nineteen hundred and six" (Rec. No. 213), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Shuttleworth
Averill	Dudley	Hammond	Merritt	Sinclair
Baldwin	Duell	Hamn	Miller	Smith A E
Blue	Eagleton	Harawitz	Mills	Smith C
Bohan	Eggleston	Harper	Mooney	Staley
Boshart	Eichhorn	Harris	Morgan	Stern
Brooks	Ferguson	Hart	Murphy C F	Stevenson
Brough	Feth	Hastings	Murphy G W	Stratton
Brown	Filley	Hoey	Nevins	Surpluss

Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Cole	Frisbie	Keller	Parker	Walters
Colné	Ganly	Lansing	Patton	Waters
Conklin	Garbe	Lee	Phillips	Weber
Conrady	Geoghagan	Lewis	Prince	Weimert
Croak	Glore	Loos	Ralston	Wells
Cunningham	Gluck	Lowe	Reece	West
Cuvillier	Glynn	Lupton	Robinson	Whitley
De Groot	Goldberg	Maher	Rogers	Whitney F G
Dobbs	Gray	McIlion	Schmidt	Whitney G H
Dominy	Green	Mance	Schoeneck	Wood
Donnelly	Gundermann	Marlatt	Schulz	Yale
Dowling	Hackett	Matthews	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 659) entitled "An act to amend the Greater New York charter, relative to the art commission" (Rec. No. 224), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Shuttleworth
Averill	Dudley	Hammond	Merritt	Sinclair
Baldwin	Duell	Hamn	Miller	Smith A E
Blue	Eagleton	Harawitz	Mills	Smith C
Bohan	Eggleston	Harper	Mooney	Staley
Boshart	Eichhorn	Harris	Morgan	Stern
Brooks	Ferguson	Hart	Murphy C F	Stevenson
Brough	Feth	Hastings	Murphy G W	Stratton
Brown	Filley	Hoey	Nevins	Surpluss
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Cole	Frisbie	Keller	Parker	Walters
Colné	Ganly	Lansing	Patton	Waters
Conklin	Garbe	Lee	Phillips	Weber
Conrady	Geoghagan	Lewis	Prince	Weimert

Croak	Glore	Loos	Ralston	Wells
Cunningham	Gluck	Lowe	Reece	West
Cuvillier	Glynn	Lupton	Robinson	Whitley
De Groot	Goldberg	Maher	Rogers	Whitney F G
Dobbs	Gray	Mallon	Schmidt	Whitney G H
Dominy	Green	Mance	Schoeneck	Wood
Donnelly	Gunderman	Marlatt	Schulz	Yale
Dowling	Hackett	Matthews	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1075) entitled "An act to amend the Forest, Fish and Game Law, in relation to set lines and tip-ups on Big Sandy pond in Oswego county and in Chenango county" (Rec. No. 206), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Shuttleworth
Averill	Dudley	Hammond	Merritt	Sinclair
Baldwin	Duell	Hamn	Miller	Smith A E
Blue	Eagleton	Harawitz	Mills	Smith C
Bohan	Eggleston	Harper	Mooney	Staley
Boshart	Eichhorn	Harris	Morgan	Stern
Brooks	Ferguson	Hart	Murphy C F	Stevenson
Brough	Feth	Hastings	Murphy G W	Stratton
Brown	Filley	Hoey	Nevins	Surpluss
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Cole	Frisbie	Keller	Parker	Walters
Colné	Ganly	Lansing	Patton	Waters
Conklin	Garbe	Lee	Phillips	Weber
Conrady	Geoghagan	Lewis	Prince	Weimert
Croak	Glore	Loos	Ralston	Wells
Cunningham	Gluck	Lowe	Reece	West
Cuvillier	Glynn	Lupton	Robinson	Whitley
De Groot	Goldberg	Maher	Rogers	Whitney F G
Dobbs	Gray	Mallon	Schmidt	Whitney G H
Dominy	Green	Mance	Schoeneck	Wood
Donnelly	Gunderman	Marlatt	Schulz	Yale
Dowling	Hackett	Matthews	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 964) entitled "An act to amend the Greater New York charter, relative to the protection of the grounds and properties of educational institutions" (Rec. No. 217), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Shuttleworth
Averill	Dudley	Hammond	Merritt	Sinclair
Baldwin	Duell	Hamn	Miller	Smith A E
Blue	Eagleton	Harawitz	Mills	Smith C
Bohan	Eggleston	Harper	Mooney	Staley
Boshart	Eichhorn	Harris	Morgan	Stern
Brooks	Ferguson	Hart	Murphy C F	Stevenson
Brough	Feth	Hastings	Murphy G W	Stratton
Brown	Filley	Hoey	Nevins	Surpless
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Cole	Frisbie	Keller	Parker	Walters
Colné	Ganly	Lansing	Patton	Waters
Conklin	Garbe	Lee	Phillips	Weber
Conrady	Geoghagan	Lewis	Prince	Weimert
Croak	Glore	Loos	Ralston	Wells
Cunningham	Gluck	Lowe	Reece	West
Cuvillier	Glynn	Lupton	Robinson	Whitley
De Groot	Goldberg	Maher	Rogers	Whitney F G
Dobbs	Gray	Mallon	Schmidt	Whitney G H
Dominy	Green	Mance	Schoeneck	Wood
Donnelly	Gunderman	Marlatt	Schulz	Yale
Dowling	Hackett	Matthews	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1027) entitled "An act to amend section

one hundred and forty-two of chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter seven hundred and seven of the Laws of nineteen hundred, in relation to divisions of taxes and assessments" (Rec. No. 191), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Shuttleworth
Averill	Dudley	Hammond	Merritt	Sinclair
Baldwin	Duell	Hamn	Miller	Smith A E
Blue	Eagleton	Harawitz	Mills	Smith C
Bohan	Eggleston	Harper	Mooney	Staley
Boshart	Eichhorn	Harris	Morgan	Stern
Brooks	Ferguson	Hart	Murphy C F	Stevenson
Brough	Feth	Hastings	Murphy G W	Stratton
Brown	Filley	Hoey	Nevins	Surpless
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Cole	Frisbie	Keller	Parker	Walters
Colne	Ganly	Lansing	Patton	Waters
Conklin	Garbe	Lee	Phillips	Weber
Conrady	Geoghagan	Lewis	Prince	Weimert
Croak	Glore	Loos	Ralston	Wells
Cunn'gham	Gluck	Lowe	Reece	West
Cuvillier	Glynn	Lupton	Robinson	Whitley
De Groot	Goldberg	Maher	Rogers	Whitney F G
Dobbs	Gray	Mallon	Schmidt	Whitney G H
Dominy	Green	Mance	Schoeneck	Wood
Donnelly	Gunderman	Marlatt	Schulz	Yale
Dowling	Hackett	Matthews	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 316) entitled "An act to transfer a part of Niagara street in the city of Buffalo to the control and juris-

diction of the board of park commissioners of said city" (Rec. No. 24), having been announced for a third reading,

On motion of Mr. Weimert, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The Senate bill (No. 1140) entitled "An act to amend section two hundred and one of the Insurance Law in relation to the designation of beneficiaries" (Rec. No. 237), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Shuttleworth
Averill	Dudley	Hammond	Merritt	Sinclair
Baldwin	Duell	Hamn	Miller	Smith A E
Blue	Eagleton	Harawitz	Mills	Smith C
Bohan	Eggleston	Harper	Mooney	Staley
Boshart	Eichhorn	Harris	Morgan	Stern
Brooks	Ferguson	Hart	Murphy C F	Stevenson
Brough	Feth	Hastings	Murphy G W	Stratton
Brown	Filley	Hoey	Nevins	Surpless
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Cole	Frisbie	Keller	Parker	Walters
Colné	Ganly	Lansing	Patton	Waters
Conklin	Garbe	Lee	Phillips	Weber
Conrady	Geoghagan	Lewis	Prince	Weimert
Croak	Glore	Loos	Ralston	Wells
Cunningham	Gluck	Lowe	Reece	West
Cuvillier	Glynn	Lupton	Robinson	Whitley
De Groot	Goldberg	Maher	Rogers	Whitney F G
Dobbs	Gray	Mallon	Schmidt	Whitney G H
Dominy	Green	Mance	Schoeneck	Wood
Donnelly	Gunderman	Marlatt	Schulz	Yale
Dowling	Hackett	Matthews	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 895) entitled "An act to amend section thirty-one of the Insurance Law, relative to the filing and publication of statements" (Rec. No. 221), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Shuttleworth
Averill	Dudley	Hammond	Merritt	Sinclair
Baldwin	Duell	Hanin	Miller	Smith A E
Blue	Eagleton	Harawitz	Mills	Smith C
Bohan	Eggleston	Harper	Mooney	Staley
Boshart	Eichhorn	Harris	Morgan	Stern
Brooks	Ferguson	Hart	Murphy C F	Stevenson
Brough	Feth	Hastings	Murphy G W	Stratton
Brown	Fillee	Hoey	Nevins	Surpless
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Cole	Frisbie	Keller	Parker	Walters
Colné	Ganly	Lansing	Patton	Waters
Conklin	Garbe	Lee	Phillips	Weber
Conrady	Geoghagan	Lewis	Prince	Weimert
Croak	Glore	Loos	Ralston	Wells
Cunningham	Gluck	Lowe	Reece	West
Cuvillier	Glynn	Lupton	Robinson	Whitley
De Groot	Goldberg	Maher	Rogers	Whitney F G
Dobbs	Gray	Mallon	Schmidt	Whitney G H
Dominy	Green	Mance	Schoeneck	Wood
Donnelly	Gunderman	Marlatt	Schulz	Yale
Dowling	Hackett	Matthews	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Averill moved to reconsider the vote by which Assembly bill (No. 1989, Int. No. 1529) entitled "An act to amend the Insurance Law to permit mutual fire insurance companies or associations of other States to do business within this State; to

regulate the business done by them; to tax the same; and to prohibit the insuring of property located in this State in unauthorized companies " was passed, and that said motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was decided in the affirmative.

The Senate returned the Assembly bill (No. 1635, Senate reprint No. 1261, Int. No. 1323) entitled "An act in relation to the County Court of Kings county and the appointment of a chief clerk and deputies and assistants therein," with a message that they have concurred in the passage of the same, with the following amendments:

On page 2, line 1, insert a bracket after the word "years". Same page, line 3, insert a bracket after "and". Same page and line, change "s" in "said" to capital "S".

Mr. C. F. Murphy moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Shuttleworth
Averill	Dudley	Hammond	Merritt	Sinclair
Baldwin	Duell	Hamn	Miller	Smith A E
Blue	Eagleton	Harawitz	Mills	Smith C
Bohan	Eggleston	Harper	Mooney	Staley
Boshart	Eichhorn	Harris	Morgan	Stern
Brooks	Ferguson	Hart	Murphy C F	Stevenson
Brough	Feth	Hastings	Murphy G W	Stratton
Brown	Filley	Hoey	Nevins	Surplless
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Cole	Frisbie	Keller	Parker	Walters
Colne	Ganly	Lansing	Patton	Waters
Conklin	Garbe	Lee	Phillips	Weber
Conrady	Geoghagan	Lewis	Prince	Weimert
Croak	Glore	Loos	Ralston	Wells
Cunningham	Gluck	Lowe	Reece	West
Cuvillier	Glynn	Lupton	Robinson	Whitley

De Groot	Goldberg	Maher	Rogers	Whitney F G
Dobbs	Gray	Mallon	Schmidt	Whitney G H
Dominy	Green	Mance	Schoeneck	Wood
Donnelly	Gunderman	Marlatt	Schulz	Yale
Dowling	Hackett	Matthews	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1381, Senate reprint No. 1258, Int. No. 890) entitled "An act to amend the Penal Code, in relation to the punishment of children under sixteen years of age," with a message that they have concurred in the passage of the same, with the following amendment:

Page 2, line 3, strike out " person " and insert in lieu thereof " renders ".

Mr. C. F. Murphy moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Shuttleworth
Averill	Dudley	Hammond	Merritt	Sinclair
Baldwin	Duell	Hamn	Miller	Smith A E
Blue	Eagleton	Harawitz	Mills	Smith C
Bohan	Eggleston	Harper	Mooney	Staley
Boshart	Eichhorn	Harris	Morgan	Stern
Brooks	Ferguson	Hart	Murphy C F	Stevenson
Brough	Feth	Hastings	Murphy G W	Stratton
Brown	Filley	Hoey	Nevins	Surpless
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Cole	Frisbie	Keller	Parker	Walters
Colné	Ganly	Lansing	Patton	Waters
Conklin	Garbe	Lee	Phillips	Weber
Conrad	Geoghagan	Lewis	Prince	Weimert
Croak	Glore	Loos	Ralston	Wells

Cunningham	Gluck	Lowe	Reece	West
Cuvillier	Glynn	Lupton	Robinson	Whitley
De Groot	Goldberg	Maher	Rogers	Whitney F G
Dobbs	Gray	Mallon	Schmidt	Whitney G H
Dominy	Green	Mance	Schoeneck	Wood
Donnelly	Gunderman	Marlatt	Schulz	Yale
Dowling	Hackett	Matthews	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the Assembly bill (No. 154, Senate reprint No. 1268, Int. No. 154) entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relating to actions by wage earners," with a message that they have concurred in the passage of the same, with the following amendments:

On page 2, line 4, strike out "three" and insert in lieu thereof "two". Same page, line 20, strike out "immediately" and insert in lieu thereof "September first, nineteen hundred and seven".

Mr. Stern moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Shuttleworth
Averill	Dudley	Hammond	Merritt	Sinclair
Baldwin	Duell	Hamn	Miller	Smith A E
Blue	Eagleton	Harawitz	Mills	Smith C
Bohan	Eggleston	Harper	Mooney	Staley
Boshart	Eichhorn	Harris	Morgan	Stern
Brooks	Ferguson	Hart	Murphy C F	Stevenson
Brough	Feth	Hastings	Murphy G W	Stratton
Brown	Filley	Hoey	Nevins	Surpluss
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Cole	Friskie	Keller	Parker	Walters
Colné	Ganly	Lansing	Patton	Waters

Conklin	Garbe	Lee	Phillips	Weber
Conrady	Geoghagan	Lewis	Prince	Weimert
Croak	Glore	Loos	Ralston	Wells
Cunningham	Gluck	Lowe	Reece	West
Cuvillier	Glynn	Lupton	Robinson	Whitley
De Groot	Goldberg	Maher	Rogers	Whitney F G
Dobbs	Gray	Mallon	Schmidt	Whitney G H
Dominy	Green	Mance	Schoeneck	Wood
Donnelly	Gunderman	Marlatt	Schulz	Yale
Dowling	Hackett	Matthews	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1050, Senate reprint No. 1262, Int. No. 664) entitled "An act to amend the Election Law, in relation to changing election districts in certain towns," with a message that they have concurred in the passage of the same, with the following amendments:

Page 2, line 9, after "the" insert "division or".

Same page and line, after the first word "of" strike out "two or more" and insert in lieu thereof "any such district or".

Mr. Gray moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Shuttleworth
Ayerill	Dudley	Hammond	Merritt	Sinclair
Baldwin	Duell	Hamn	Miller	Smith A E
Blue	Eagleton	Harawitz	Mills	Smith C
Bohan	Eggleston	Harper	Mooney	Staley
Boshart	Eichhorn	Harris	Morgan	Stern
Brooks	Ferguson	Hart	Murphy C F	Stevenson
Brough	Feth	Hastings	Murphy G W	Stratton
Brown	Filley	Hoey	Nevins	Surpless
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Cole	Frisbie	Keller	Parker	Walters

Colné	Ganly	Lansing	Patton	Waters
Conklin	Garbe	Lee	Phillips	Weber
Conrady	Geoghagan	Lewis	Prince	Weimert
Croak	Glore	Loos	Ralston	Wells
Cunningham	Gluck	Lowe	Reece	West
Cuvillier	Glynn	Lupton	Robinson	Whitley
De Groot	Goldberg	Maher	Rogers	Whitney F G
Dobbs	Gray	Mallon	Schmidt	Whitney G H
Dominy	Green	Mance	Schoeneck	Wood
Donnelly	Gunderman	Marlatt	Schulz	Yale
Dowling	Hackett	Matthews	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1637, Senate reprint No. 1259, Int. No. 1082) entitled "An act to amend the Primary Election Law, in relation to excepting first, second and certain third class cities from special enrollment and changing date when enrollment books shall be delivered," with a message that they have concurred in the passage of the same, with the following amendments:

After "first", in second line of title, insert "second and certain third".

On page 2, line 6, after "class" insert "and cities of the third class to which this act has been made applicable pursuant to section fourteen". On page 3, line 25, after "class" insert "and cities of the third class to which this act has been made applicable pursuant to section fourteen".

Mr. Weimert moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Shuttleworth
Averill	Dudley	Hammond	Merritt	Sinclair
Baldwin	Duell	Hamn	Miller	Smith A E
Blue	Eagleton	Harawitz	Mills	Smith C
Bohan	Eggleston	Harper	Mooney	Staley

Boshart	Ei horn	Harris	Morgan	Stern
Brooks	Ferguson	Hart	Murphy C F	Stevenson
Brough	Feth	Hastings	Murphy G W	Stratton
Brown	Filley	Hoey	Nevins	Surpless
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Cole	Frisbie	Keller	Parker	Walters
Colne	Ganly	Lansing	Patton	Waters
Conklin	Garbe	Lee	Phillips	Weber
Conrady	Geoghagan	Lewis	Prince	Weimert
Croak	Glore	Loos	Ralston	Wells
Cunningham	Glick	Lowe	Reece	West
Cuvillier	Glynn	Lupton	Robinson	Whitley
De Groot	Goldberg	Maher	Rogers	Whitney F G
Dobbs	Gray	Mallon	Schmidt	Whitney G H
Dominy	Green	Mance	Schoeneck	Wood
Donnelly	Gunderman	Marlatt	Schulz	Yale
Dowling	Hackett	Matthews	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 842, Senate reprint No. 1265, Int. No. 777) entitled "An act to provide for the construction of intercepting sewers in and for the city of Syracuse," with a message that they have concurred in the passage of the same, with the following amendments:

Page 1, line 1, after section 1, strike out all down to and including "compensation", line 9, same page, and insert in lieu thereof the following: "There is hereby constituted in and for the city of Syracuse a board to be known as the 'Syracuse Intercepting Sewer Board.' It shall be composed of three members, to be called intercepting sewer commissioners, who shall be appointed by the mayor. The terms of office of said commissioners shall be five years, and the mayor shall appoint their successors. In case of a vacancy in the office of intercepting sewer commissioner, other than by expiration of term, the mayor shall appoint a successor for the balance of the unexpired term. Each commissioner shall hold office until the appointment and qualification of his successor, and shall serve without compensation. The city engineer of the city may also hold the office of intercepting sewer commissioner."

Same page, line 10, strike out "this act shall take effect" and insert in lieu thereof "the certificate of their appointment shall have been filed with the city clerk,".

Page 2, line 16, after the word "thereof" insert "which may be". Same page, line 17, before the word "by" insert "from time to time".

Mr. Baldwin moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Alien	Draper	Hamilton	McCue	Shuttleworth
Averill	Dudley	Hammond	Merritt	Sinclair
Baldwin	Duell	Hamn	Miller	Smith A E
Blue	Eagleton	Harawitz	Mills	Smith C
Bohan	Eggleston	Harper	Mooney	Staley
Boshart	Eichhorn	Harris	Morgan	Stern
Brooks	Ferguson	Hart	Murphy C F	Stevenson
Brough	Feth	Hastings	Murphy G W	Stratton
Brown	Filley	Hoey	Nevins	Surpless
Buckley	Flanagan	Holmes	Newton	Todd
Burhyte	Foley C F	Hooper	Northrup	Volk
Burns	Foley J A	Hubbs	Norton	Voss
Burzynski	Fowler	Hurd	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Cole	Frisbie	Keller	Parker	Walters
Colne	Ganly	Lansing	Patton	Waters
Conklin	Garbe	Lee	Phillips	Weber
Conrady	Geoghagan	Lewis	Prince	Weimert
Croak	Glore	Loos	Ralston	Wells
Cunningham	Gluck	Lowe	Reece	West
Cuvillier	Glynn	Lupton	Robinson	Whitley
De Groot	Goldberg	Maher	Rogers	Whitney F G
Dobbs	Gray	Mallon	Schmidt	Whitney G H
Dominy	Green	Mance	Schoeneck	Wood
Donnelly	Gunderman	Marlatt	Schulz	Yale
Dowling	Hackett	Matthews	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

Mr. Moreland offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That the Legislature adjourn without date on Thursday, May ninth, nineteen hundred and seven, at two o'clock p. m.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the Assembly bill (No. 845, Senate reprint No. 981, Int. No. 710) entitled "An act making appropriations for the support of government," with a message that they have agreed to the request for a committee of conference thereon, and that the President has appointed Messrs. Armstrong, Hill and Fuller as such committee on behalf of the Senate.

Mr. Speaker appointed Messrs. Moreland, Phillips, Apgar, G. H. Whitney and Oliver as such committee on behalf of the Assembly.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the Senate bill (No. 713, Assembly reprint No. 2246, Rec. No. 148) entitled "An act to amend the Agricultural Law, in relation to the suppression of infectious and contagious diseases of domestic animals."

Also, the Senate bill (No. 285, Assembly reprint No. 2222, Rec. No. 19) entitled "An act to amend chapter one hundred and eighty-five of the Laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Auburn,'" with a message that they have concurred in the amendments of the Assembly made thereto. -

Ordered, That the Clerk return said bills to the Senate.

The Senate returned the Assembly bill (No. 769, reprint No. 2223, Senate reprint No. 723, Int. No. 472) entitled "An act to amend the Highway Law, in relation to exempting certain counties from the poll tax."

Also, Assembly bill (No. 1268, reprint No. 2300, Senate reprint No. 958, Int. No. 933) entitled "An act creating the office of county attorney," with a message that they have reconsidered their vote by which said bills passed, and, as amended, have again passed the same.

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Chamberlain, of Steuben, was excused until Monday next.

Mr. Brady, of Greene, was excused until Wednesday next.

Mr. Mead, of Albany, was excused until Wednesday next.

Mr. Smith, of Dutchess, was excused until Tuesday next.

On motion of Mr. Moreland, the House adjourned.

## TUESDAY, APRIL 23, 1907.

The House met pursuant to adjournment.

Prayer by Rev. Charles W. Heisler.

On motion of Mr. Moreland, the reading of the journal of yesterday was dispensed with, and the same was approved.

By unanimous consent, Mr. Filley introduced a bill entitled "An act to release to Martin Elva Smith all the right, title and interest of the people of the State of New York in and to certain real estate, in the town of Schaghticoke, county of Rensselaer (Int. No. 1771), which was read the first time and referred to the committee on ways and means.

By unanimous consent, Mr. O'Brian introduced a bill entitled "An act to authorize the appointment by the Governor of a commission to inquire into the manner in which justice is administered in courts of inferior criminal jurisdiction, other than courts of general sessions, in cities of the first class, including their methods of procedure, and directing said commission to report to the Legislature thereon, with recommendations, and making an appropriation therefor" (Int. No. 1772), which was read the first time and referred to the committee on ways and means.

Also, by unanimous consent, "An act to amend chapter three hundred and ninety-four of the Laws of nineteen hundred and four, entitled 'An act to create and establish the office of commissioner of elections in the county of Erie and prescribing his duties,' relating to the publication of election notices and the designation of newspapers therefor" (Int. No. 1773), which was read the first time and referred to the committee on internal affairs.

By unanimous consent, Mr. Rogers introduced a bill entitled "An act to amend the Insurance Law, relative to the incorporation of fire insurance corporations" (Int. No. 1774), which was read the first time and referred to the committee on insurance.

By unanimous consent, Mr. F. G. Whitney introduced a bill entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of Oswego,' relative to the powers of policemen of said city" (Int. No. 1775), which was read the first time and referred to the committee on affairs of cities.

Also, by unanimous consent, "An act to amend the Liquor Tax Law, in relation to places in which traffic in liquor shall not be permitted" (Int. No. 1776), which was read the first time and referred to the committee on excise.

By unanimous consent, Mr. Apgar introduced a bill entitled "An act to amend chapter seven hundred and twenty-four of the Laws of nineteen hundred and five, entitled 'An act to provide for a additional supply of pure and wholesome water for the city of New York; and for the acquisition of lands or interest therein, and for the construction of the necessary reservoirs, dams, aqueducts, filters, and other appurtenances for that purpose; and for the appointment of a commission with the powers and duties necessary and proper to attain these objects,' in relation to a secretary for commissioners of appraisal, in certain cases" (Int. No. 1777), which was read the first time and referred to the committee on electricity, gas and water supply.

By unanimous consent, Mr. Schulz introduced a bill entitled "An act to enable the commissioner of correction of the city of New York to rehear and determine the charges against Edward Owens, formerly a keeper in the department of correction of said city, and to reinstate him in said department" (Int. No. 1778), which was read the first time and referred to the committee on affairs of cities.

Also, by unanimous consent, "An act to enable the police commissioner of the city of New York to rehear and determine the charges against Jeremiah Burke, formerly a patrolman of the police department of said city, and to reinstate him in said department" (Int. No. 1779), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Keller introduced a bill entitled "An act to amend the Greater New York charter, relative to setting apart piers for recreation" (Int. No. 1780), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Harawitz introduced a bill entitled "An act to regulate street peddling in the city of New York" (Int. No. 1781), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, the following committee reports were received:

Mr. Phillips, from the committee on codes, to which was referred Assembly bill introduced by Mr. Stratton (No. 1056, Int. No. 923), entitled "An act to amend the Code of Civil Procedure, relative to presumption in case of fire caused by railroad locomotive."

Also, Assembly bill (No. 1158, Int. No. 1001) entitled "An act to amend the Penal Code in relation to adultery."

Also, Assembly bill introduced by Mr. Prentice (No. 2230, Int. No. 1638), entitled "An act to amend the Penal Code, in relation to the punishment for the crime of burglary."

Also, Assembly bill introduced by Mr. Prince (No. 2231, Int. No. 1639), entitled "An act to amend the Code of Civil Procedure, in relation to security upon order of arrest."

Also, Assembly bill introduced by Mr. Miller (No. 2191, Int. No. 1628), entitled "An act to amend the Code of Civil Procedure, in relation to the proof required and the contents of an order in an application for the abandonment of condemnation proceedings."

Also, Assembly bill introduced by Mr. Harawitz (No. 2169, Int. No. 1611), entitled "An act to amend the Penal Code, in relation to wire tapping and eliminating certain defenses to a prosecution for larceny."

Also, Assembly bill introduced by Mr. Young (No. 1881, Int. No. 1468), entitled "An act to amend the Code of Civil Procedure, in relation to the discharge of a mechanic's lien."

Also, Assembly bill introduced by Mr. Fowler (No. 1718, Int. No. 1360), entitled "An act to amend the Code of Civil Procedure, in relation to an executor's accounting in Surrogate's Court."

Also, Assembly bill introduced by Mr. Dobbs (No. 1219, Int. No. 1056), entitled "An act to amend the Code of Civil Procedure, in relation to an appellate term of the Supreme Court in certain boroughs of the city of New York."

Also, the bill introduced by Mr. C. F. Foley (No. 1179, Int. No. 1020), entitled "An act to amend the Penal Code, relating to the issue and redemption of trading stamps and similar devices."

Also, Assembly bill introduced by Mr. Prentice (No. 830, Int. No. 765), entitled "An act to amend the Penal Code by adding thereto a new section to be known as section four hundred and eleven-a, relative to the destruction of dangerous weapons," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred Assembly bill (No. 2027, Int. No. 1552) introduced by Mr. Francis, entitled "An act to amend the Penal Code, relating to the pledge of tools and implements of mechanics," reported in favor of the passage of the same, with the following amendment:

On page 2, line 15, strike out "immediately" and insert in place thereof "September first, nineteen hundred and seven".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred Assembly bill (No. 305, Int. No. 304) introduced by Mr. Croak, entitled "An act to amend the Code of Civil Procedure, in relation to a stenographer for the County Court of Richmond county," reported in favor of the passage of the same, with the following amendment:

On page 2, line 18, strike out "immediately" and insert "September first, nineteen hundred and seven".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred Assembly bill (No. 1844, Int. No. 1443) introduced by Mr. Prentice, entitled "An act to amend section three hundred and eighty-two of the Penal Code, relative to frauds on hotel-keepers," reported in favor of the passage of the same, with the following amendments:

On page 2, line 7, strike out "non-payment" and insert in place thereof "dishonor because of insufficient funds in the hands of the drawer", on line 18, after "refused" insert "because of insufficient funds in the hands of the drawer".

On line 20, strike out "immediately" and insert "September first, nineteen hundred and seven".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was recommended Assembly bill introduced by Mr. Hammond (No. 2277, Int. No. 1574), entitled "An act to amend the Code of Criminal Procedure, relative to warrant issued by certain judicial officers," reported in favor of the passage of the same, with the following amendment:

On page 1, line 11, strike out "immediately" and insert in place thereof "September first, nineteen hundred and seven".

which report was agreed to, and said bill ordered reprinted and placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred Senate bill introduced by Mr. McCarren (No. 599, Rec. No. 91), entitled "An act to amend the Code of Civil Procedure, relative to attachments," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hastings, from the committee on revision, to which was referred Senate bill (No. 1060, Rec. No. 256, and Assembly bill, No. 2309, Int. No. 1521), entitled "An act to amend chapter forty-four of the Laws of eighteen hundred and fifty-three, entitled 'An act for the better support of the poor, in the town of Newburgh, in the county of Orange,' in relation to said town receiving credit for excise moneys," reported that they have compared the same and find that they are not identical, which report was agreed to.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Robinson (No. 2361, Int. No. 1509), entitled "An act to amend the Greater New York charter, relative to revocation of licenses for public amusements."

Also, the bill introduced by Mr. Miller (No. 2386, Int. No. 1637), entitled "An act to amend the Town Law, in relation to notice of special town meeting."

Also, the bill introduced by Mr. A. E. Smith (No. 479, Int. No. 466), entitled "An act to prevent fire insurance companies entering into or maintaining pools, trusts, conspiracies or agreements to control rates of insurance."

Also, the bill introduced by Mr. F. G. Whitney (No. 2400, Int. No. 1338), entitled "An act to amend the County Law, in relation to properly marking the graves of honorably discharged soldiers, sailors and marines," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. F. G. Whitney (No. 2109, Int. No. 1584), entitled "An act to amend the Liquor Tax Law, in relation to places in which traffic in liquor shall not be permitted," reported the same with the following recommendations:

On page 1, on first line of title, after second "to" insert "excepting state hospitals from the prohibition as to".

On page 2, strike out lines 1 and 2.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Weimert (No. 1616, Int. No. 1306), entitled "An act to amend chapter four hundred and eighteen of the Laws of eighteen hundred and ninety-seven, entitled 'An act in relation to liens, constituting chapter forty-nine of the general laws,' relating to the discharge of a lien by payment of money into court and the cancellation of notice of the pendency of action," reported the same with the following recommendations:

On page 1, in title, after "amend" strike out balance of first line of title second line third and the word "laws," on line 4 of title, and insert in place thereof "the lien law,".

On page 1, in fourth line of title, strike out "the discharge of a lien by payment of money".

On page 1, in fifth line of title, strike out "into court and".

On page 1, line 9, after "clerk" insert comma.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. G. H. Whitney (No. 2194, Int. No. 1632), entitled "An act to amend the Public Health Law, in relation to the cutting and sale of ice," reported the same with the following recommendations:

On page 1, in title, after "law" insert comma.

On page 1, line 1, after "1." strike out balance of said line and insert in place thereof "chapter six hundred and sixty-one of the laws of eighteen hundred and ninety-three, entitled 'An act in relation to the public health, constituting chapter twenty-five of the general laws,' is hereby amended by inserting therein a new section to be".

On page 1, strike out line 2 and the words "a new section to be known as" on line 3.

On page 1, line 3, after "seventy-nine" insert "thereof," which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Stevenson (No. 1240, Int. No. 1069), entitled "An act to amend 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same, and to provide for local option, constituting chapter twenty-nine of the general laws,' relative to the recovery of civil damages by reason of intoxication," reported the same with the following recommendations:

On page 1, in title, strike out "An act in relation to the traffic in liquors, and for the taxation and regulation of the same, and to provide for local option, constituting chapter twenty-nine of general laws," and insert in place thereof "the liquor tax law".

On page 1, in fourth line of title, strike out "civil".

On page 1, line 7, after "in" insert "a".

On page 1, line 8, strike out "for" and insert in place thereof "of".

On page 2, line 7, strike out "the" and insert in place thereof "such".

On page 2, line 8, after "copartnership" strike out comma.

On page 2, line 18, strike out "owner" and insert in place thereof "owners".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Waddell (No. 1019, Int. No. 904), entitled "An act to amend section seventy-four of title two of chapter three of part four of the Revised Statutes, relating to

State prisons, relative to the parole of certain prisoners," reported the same with the following recommendations:

On page 1, line 2, strike out "as" and insert in place thereof "as amended by chapter three hundred and eighty-two of the laws of eighteen hundred and eighty-nine,".

On page 1, line 3, strike out "amended".

On page 1, line 5, strike out "so as".

On page 1, line 7, after "prison" insert comma.

On page 1, line 8, strike out parenthesis and insert in place thereof brackets.

Same page and line, after "reformatory" insert comma.

On page 2, line 3, after "prisoners" strike out comma.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. O'Brian (No. 2034, Int. No. 926), entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' relative to ward boundaries, composition, election and powers of the common council, and the election of supervisors," reported the same with the following recommendations:

On page 1, in title, after "Buffalo," strike out balance of said title and insert in place thereof "generally and to repeal sections five and eight of said act."

On page 1, line 2, after "ninety-one," insert "entitled 'An act to revise the charter of the city of Buffalo,'".

On page 1, line 5, strike out "so as".

On page 3, line 1, after "street" before "to" insert "; thence westerly along the center line of Seneca street".

On page 3, line 24, strike out "of" and insert in place thereof "to".

On page 11, line 14, after first "center" insert "line".

On page 12, line 17, after first "boundary" insert "of the state of New York to the intersection of said westerly boundary".

On page 13, lines 1, 20 and 21, strike out second "e" in "Delevan" and insert in place thereof "a".

On page 17, line 14, after first "of" insert "said".

Same page and line, after "chapter" strike out balance of said line.

On page 17, line 15, strike out "of eighteen hundred and ninety-one" and "so as".

On page 17, line 18, after "council" insert comma before "[ ".

On page 18, line 1, after first "of" insert "said".

Same page and line, strike out "one hundred and five of the laws of".

On page 18, line 2, strike out "eighteen hundred and ninety-one".

On page 18, line 4, strike out "so as".

On page 18, line 12, after "place" insert "to be".

On page 19, line 7, after first "of" insert "said".

Same page and line, strike out "one hundred and five of the laws".

On page 19, line 8, strike out "of eighteen hundred and ninety-one".

On page 19, line 10, strike out "so as".

On page 19, line 17, after "ninety-five" insert comma.

On page 20, line 6, after first "of" insert "said".

Same page and line, strike out "one hundred and five of the".

On page 20, line 7, strike out "laws of eighteen hundred and ninety-one" and "so".

On page 20, line 8, strike out first "as".

On page 21, line 11, after first "of" insert "said".

Same page and line, strike out "one hundred and five of the laws".

On page 21, line 12, strike out "of eighteen hundred and ninety-one" and "so as".

On page 21, line 16, after "proceedings" strike out comma and insert in place thereof "[;]".

On page 21, line 17, after "councilmen" insert comma.

On page 21, line 18, after "vote" and "required" insert commas.

On page 21, line 19, after "aldermen" insert comma inside of bracket.

On page 21, line 21, after "proceedings" strike out comma.

On page 21, line 22, before "except" insert comma inside of bracket.

On page 22, line 7, after first "of" insert "said chapter" and strike out balance of said line.

On page 22, line 8, strike out "teen hundred and ninety-one".

On page 22, line 10, strike out "so as".

On page 22, line 13, after "constable" insert ", [and in addition the electors of the twenty-fifth ward shall elect a justice of the peace for the term of four years, who shall have and execute in said ward the powers conferred by law upon justices of the peace in towns, but in civil actions and proceedings he shall have jurisdiction only when the defendant is a nonresident

of the city at the time the action or proceeding is commenced, or when the plaintiff and defendant both reside in the twenty-fifth ward.]”.

On page 22, line 13, italicize “whose term of office shall”.

On page 22, line 14, italicize “be two years.”

On page 23, lines 4 to 16, inclusive, not in italics.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Patton (No. 2389, Int. No. 1473), entitled “An act to amend chapter three hundred and eight of the Laws of nineteen hundred and three, entitled ‘An act to regulate the junk business, and to require a person engaging in such business to procure a license,’ by increasing the amount of such license in certain counties,” reported the same with the following recommendations:

On page 2, strike out lines 16 to 24, inclusive.

On page 2, line 25 strike out “3” and insert in place thereof “2”.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. F. G. Whitney (No. 2028, Int. No. 1553), entitled “An act to amend the Liquor Tax Law, in relation to violations and penalties, jurisdiction of courts and reports of magistrates, and fees of sheriffs,” reported the same with the following recommendations:

On page 1, in last line of title, after “and” insert “duties and”.

On page 1, line 7, strike out “act.” and insert in place thereof “law.”

On page 2, line 20, after “2.” strike out “S” and insert in place thereof “Subdivision one of s”.

On page 2, line 22, strike out “as amended by chapter three hundred and ninety-”.

On page 2, strike out lines 23, 24 and the word “hundred,” on line 25.

On page 2, line 26, strike out “and as amended by chap-”.

On page 3, strike out line 1 and the word “five,” one line 2.

On page 3, after line 17, insert new section, as follows:

"§ 3. Subdivision two of section thirty-four of said chapter, as amended by chapter three hundred and twelve of the Laws of eighteen hundred and ninety-seven and chapter three hundred and sixty-seven of the Laws of nineteen hundred, is hereby amended to read as follows:"

On page 4, after line 17, insert new section, as follows:  
"§ 4. Subdivision three of section thirty-four of said chapter, as amended by chapter three hundred and twelve of the Laws of eighteen hundred and ninety-seven, is hereby amended to read as follows:"

On page 4, line 18, after "employees" insert comma.

On page 5, strike out lines 1 to 14 inclusive, and insert in place thereof "§ 5. Subdivision seven of section thirty-four of said chapter, as added by chapter six hundred and eighty of the Laws of nineteen hundred and five, is hereby amended to read as follows:"

On page 6, after line 11, insert new section as follows: "§ 6. Section thirty-four of said chapter is hereby amended by adding thereto a new subdivision to be subdivision eight thereof, to read as follows:"

On page 7, line 10, strike out "3. S" and insert in place thereof "7. Subdivision one of s".

On page 8, strike out lines 18 to 25, inclusive.

On page 9, before line 1, insert new section as follows: "§ 8. Section thirty-five of said chapter is hereby amended by adding thereto a new subdivision to be subdivision three thereof, to read as follows:"

On page 9, line 8, strike out "4" and insert in place thereof "9".

On page 13, line 14, after "fees" insert "[to]".

On page 13, line 19, strike out "5" and insert in place thereof "10".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. West, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Greater New York charter, relative to vacations of employees whose compensation is fixed by the day or hour." (No. 2378, Int. No. 1447.)

"An act to establish and maintain a water department in and for the city of Cortland." (No. 1813, Int. No. 1423.)

"An act to amend the Railroad Law, in relation to the rate of fare." (No. 2374, Int. No. 1501.)

"An act to amend the Penal Code, in relation to the sale and furnishing of certain poisons." (No. 2377, Int. No. 347.)

"An act to amend the Greater New York charter, in relation to the amount of annual pension to retiring members of the fire department." (No. 2376, Rec. No. 86.)

"An act to amend the Village Law, in relation to auctioneering, hawking and peddling of goods, wares and merchandise or property of any kind in villages." (No. 2380, Int. No. 1650.)

"An act to amend the Code of Civil Procedure, relative to stenographer fees in Westchester county." (No. 2375, Int. No. 1555.)

By unanimous consent, Mr. Wood offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on the judiciary be discharged from the further consideration of the Senate bill (No. 1053, Rec. No. 202), entitled "An act supplementary to chapter one hundred and seven of the Laws of eighteen hundred and twenty-one, entitled 'An act declaring a part of the Black river a public highway, and for other purposes,' passed March sixteen, eighteen hundred and twenty-one."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, on motion of Mr. Wood, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Wood, and by unanimous consent, said bill was substituted for Assembly bill (No. 2357, Int. No. 350), same title and subject, now on the order of third reading.

The bill (No. 2357) entitled "An act supplementary to chapter one hundred and seven of the Laws of eighteen hundred and twenty-one, entitled "An act declaring a part of the Black river a public highway, and for other purposes,' passed March sixteen, eighteen hundred and twenty-one" (Int. No. 350), having been announced for a third reading,

On motion of Mr. Wood, said bill was laid aside and ordered stricken from the calendar.

Mr. Moreland moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded :

Apgar	Draper	Hammond	Moreland	Smith C
Averill	Dudley	Hamn	Morgan	Staley
Baldwin	Duell	Harper	Murphy C F	Stanton
Baumann	Eagleton	Harris	Nevins	Stevenson
Blue	Eggleston	Hart	Newton	Stratton
Bohan	Eichhorn	Hastings	Northrup	Surpless
Boshart	Farrell	Hoey	Norton	Volk
Brooks	Fay	Holmes	O'Brian	Voss
Brough	Ferguson	Hooper	Oliver	Wagner
Brown	Filley	Hubbs	Parker	Wainwright
Buckley	Foley C F	Jackson	Patton	Walters
Burhyte	Fowler	Keller	Prentice	Waters
Cavanaugh	Francis	Lansing	Prince	Weber
Cole	Frisbie	Lee	Ralston	Weimert
Clone	Ganly	Lupton	Reece	Wells
Collins	Garbe	Maher	Robinson	West
Conklin	Glore	Mallon	Rogers	Whitley
Croak	Glynn	Mance	Schmidt	Whitney F G
Cuvillier	Gray	Marlatt	Schwegler	Whitney G H
De Groot	Green	Matthews	Sheridan	Winters
Dominy	Gunderman	McCue	Shuttleworth	Wood
Donnelly	Hackett	Miller	Sinclair	Young
Dowling	Hamilton	Mills	Smith A E	

Mr. Moreland moved that the call of the House be made a close call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 1997) entitled "An act to amend the Code of Criminal Procedure, in relation to what persons are vagrants" (Int. No. 33), having been announced, Mr. Speaker stated the question to be the amendments offered by Mr. Whitley.

Mr. Oliver moved to recommit said bill to the committee on codes.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Oliver, and it was determined in the negative.

AYES 30

NOES 80

Those who voted in the affirmative were:

Baumann	Croak	Feth	Goldberg	Oliver
Bohan	Cuvillier	Foley C F	Hackett	Prince
Buckley	Donnelly	Foley J A	Harper	Schwegler
Cavanaugh	Eagleton	Ganly	Holmes	Smith A E

Collins	Farrell	Geoghagan	Jackson	Stratton
Conklin	Fay	Glynn	Loos	Walters

Those who voted in the negative were:

Apgar	Fowler	Keller	Nevins	Stevenson
Baldwin	Francis	Lansing	Newton	Surpluss
Blue	Frisbie	Lee	Norton	Volk
Boshart	Glore	Lewis	Parker	Voss
Brooks	Gray	Lupton	Patton	Wainwright
Brough	Green	Maher	Prentice	Waters
Burhyte	Gunderman	Mance	Ralston	Weber
Cole	Haines	Marlatt	Robinson	Weimert
Dominy	Hamilton	Matthews	Schmidt	Wells
Draper	Hammond	McCue	Sheridan	West
Dudley	Hamn	Miller	Shuttleworth	Whitley
Duell	Harris	Mills	Sinclair	Whitney F G
Eggleston	Hart	Moreland	Smith C	Whitney G H
Eichhorn	Hooper	Morgan	Staley	Winters
Ferguson	Hubbs	Murphy C F	Stanton	Yale
Filley	Hurd	Murphy G W	Stern	Young

By unanimous consent, Mr. Whitley withdrew the pending amendments.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 81

NOES 37

Those who voted in the affirmative were:

Apgar	Eggleston	Hastings	Murphy C F	Volk
Baldwin	Eichhorn	Hubbs	Nevins	Voss
Bule	Ferguson	Hurd	Norton	Wagner
Boshart	Filley	Keller	Parker	Wainwright
Brooks	Fowler	Lansing	Patton	Walters
Brough	Francis	Lee	Prentice	Waters
Brown	Frisbie	Lewis	Ralston	Weber
Burhyte	Glore	Lowe	Reece	Weimert
Cole	Gray	Lupton	Robinson	Wells
Collins	Green	Maher	Rogers	West
Colné	Gundermann	Mance	Sinclair	Whitney F G
De Groot	Haines	Marlatt	Smith C	Whitney G H
Dominy	Hamilton	Miller	Staley	Winetr
Dowling	Hammond	Mills	Stanton	Wood
Draper	Hamn	Moreland	Stevenson	Yale
Dudley	Hart	Morgan	Surpluss	Young
Duell				

Those who voted in the negative were:

Averill	Donnelly	Garbe	Holmes	Oliver
Bohan	Eagleton	Glynn	Jackson	Prince
Buckley	Farrell	Goldberg	Loos	Sheridan
Burns	Fay	Hackett	Mallon	Shuttleworth
Cavanaugh	Feth	Harper	Matthews	Smith A E
Conklin	Foley C F	Harris	McCue	Stratton
Croak	Foley J A	Hoey	Newton	Whitley
Cuvillier	Ganly			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 316) entitled "An act to transfer a part of Niagara street, in the city of Buffalo, to the control and jurisdiction of the board of park commissioners of said city" (Rec. No. 24), having been announced for third reading,

Mr. Patton moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

On page 1, line 8, after the word "therein" insert the following: "and no ordinance shall be passed by the city authorities or park commissioners of Buffalo, prohibiting any vehicle, owned or driven by residents or non-residents, passing over or along said parkway, at any time, and if such an ordinance is now in existence it shall not apply to the parkway herein described."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

AYES 32

NOES 76

Those who voted in the affirmative were:

Apgar	Foley C F	Hastings	Mance	Shuttleworth
Averill	Glynn	Hubbs	Merritt	Wainwright
Baldwin	Gunderman	Hurd	Nevins	West
Boshart	Hackett	Lowe	Newton	Whitney G H
Brooks	Hammond	Lupton	Oliver	Winters
Draper	Harper	Maher	Patton	Yale
Filley	Harris			

Those who voted in the negative were:

Allen	Dominy	Geoghagan	Mallon	Sheridan
Baumann	Donnelly	Glore	Marlatt	Sinclair
Blue	Dudley	Gluck	Matthews	Smith A E
Bohan	Duell	Goldberg	McCue	Stanton
Brough	Eggleston	Gray	Mills	Stratton
Brown	Eichhorn	Haines	Morgan	Surpless

Buckley	Farrell	Hamilton	Norton	Volk
Burhyte	Fay	Hamn	O'Brian	Voss
Cavanaugh	Ferguson	Hart	Parker	Wagner
Cole	Feth	Hoey	Prince	Waters
Collins	Foley J A	Holmes	Reece	Weber
Colné	Francis	Jackson	Robinson	Weimert
Conklin	Frisbie	Keller	Rogers	Wells
Croak	Ganly	Lee	Schmidt	Whitley
Cuvillier	Garbe	Lewis	Schulz	Wood
De Groot				

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hamilton	McCue	Sinclair
Apgar	Dudley	Hammond	Merritt	Smith A E
Baldwin	Duell	Harawitz	Miller	Smith C
Baumann	Eagleton	Harper	Mills	Smith Myron
Blue	Eggleston	Harris	Mooney	Staley
Bohan	Eichhorn	Hart	Moreland	Stern
Boshart	Farrell	Hastings	Murphy C F	Stevenson
Brooks	Ferguson	Hoey	Murphy G W	Stratton
Brough	Feth	Holmes	Nevins	Surpless
Brown	Filley	Hooper	Newton	Todd
Buckley	Flanagan	Hubbs	Northrup	Volk
Burhyte	Foley C F	Hurd	Norton	Waddell
Burns	Foley J A	Huth	O'Brian	Wagner
Burzynski	Fowler	Jackson	Oliver	Wainwright
Cavanaugh	Francis	Jacobs	Parker	Walters
Cole	Ganly	Keller	Patton	Waters
Collins	Garbe	Lansing	Phillips	Weber
Colné	Geoghagan	Lee	Prentice	Weimert
Conklin	Glore	Lewis	Ralston	Wells
Conrady	Gluck	Lowe	Reece	West
Croak	Glynn	Lupton	Rogers	Whitley
Cunningham	Goldberg	Maher	Schmidt	Whitney F G
Cuvillier	Gray	Mallon	Schoeneck	Whitney G H
De Groot	Green	Mance	Schulz	Winters
Dobbs	Gunderman	Marlatt	Sheridan	Wood
Dominy	Hackett	Matthews	Shuttleworth	Young
Dowling	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1993) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Oliver A. Quayle against the State for damages alleged to have been sustained by him, and to render judgment therefor" (Int. No. 1533), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Haines	Matthews	Shuttleworth
Apgar	Dudley	Hamilton	McCue	Sinclair
Baldwin	Duell	Hammond	Merritt	Smith A E
Baumann	Eagleton	Harawitz	Miller	Smith C
Blue	Eggleston	Harper	Mills	Staley
Bohan	Eichhorn	Harris	Mooney	Stern
Boshart	Farrell	Hart	Moreland	Stevenson
Brooks	Ferguson	Hastings	Murphy C F	Stratton
Brough	Feth	Hoey	Murphy G W	Surpless
Brown	Filley	Holmes	Nevins	Todd
Buckley	Flanagan	Hooper	Newton	Todd
Burhyte	Foley C F	Hubbs	Northrup	Waddell
Burns	Foley J A	Hurd	Norton	Wagner
Burzynski	Fowler	Huth	O'Brian	Wainwright
Cavanaugh	Francis	Jackson	Oliver	Walters
Cole	Ganly	Jacobs	Parker	Waters
Collins	Garbe	Keller	Patton	Weber
Colné	Geoghagan	Lansing	Phillips	Weimert
Conklin	Glore	Lee	Prentice	Wells
Conrady	Gluck	Lewis	Ralston	West
Croak	Glynn	Lowe	Reece	Whitley
Cunningham	Goldberg	Lupton	Rogers	Whitney F G
Cuvillier	Gray	Maher	Schmidt	Whitney G H
De Groot	Green	Mallon	Schoeneck	Winters
Dobbs	Gunderman	Mance	Schulz	Wood
Dominy	Hackett	Marlatt	Sheridan	Young
Dowling				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1717) entitled "An act to prohibit the making or publishing of false or exaggerated statements or publications of or concerning the affairs, pecuniary condition or property of

any corporation, joint stock association, copartnership or individual, which said statements or publications are intended to give, or shall have a tendency to give, a less or greater apparent value to the shares, bonds or property, or part thereof, of said corporation, joint stock association, copartnership or individual, than the said shares, bonds or property shall really and in fact possess, and providing a penalty therefor" (Int. No. 1359), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131  
- NOES 00

Those who voted in the affirmative were:

Allen	Draper	Haines	Matthews	Shuttleworth]
Apgar	Dudley	Hamilton	McCue	Sinclair
Baldwin	Duell	Hammond	Merritt	Smith A E
Baumann	Eagleton	Harawitz	Miller	Smith C
Blue	Eggleston	Harper	Mills	Staley
Bohan	Eichhorn	Harris	Mooney	Stern
Boshart	Farrell	Hart	Moreland	Stevenson
Brooks	Ferguson	Hastings	Murphy C F	Stratton
Brough	Feth	Hoey	Murphy G W	Surpluss
Brown	Filley	Holmes	Nevins	Todd
Buckley	Flanagan	Hooper	Newton	Volk
Burhyte	Foley C F	Hubbs	Northrup	Waddell
Burns	Foley J A	Hurd	Norton	Wagner
Burzynski	Fowler	Huth	O'Brian	Wainwright
Cavanaugh	Francis	Jackson	Oliver	Walters
Cole	Ganly	Jacobs	Parker	Waters
Collins	Garbe	Keller	Patton	Weber
Colné	Geoghagan	Lansing	Phillips	Weimert
Conklin	Glore	Lee	Prentice	Wells
Conrady	Gluck	Lewis	Ralston	West
Croak	Glynn	Lowe	Reece	Whitley
Cunningham	Goldberg	Lupton	Rogers	Whitney F G
Cuvillier	Gray	Maher	Schmidt	Whitney G H
De Groot	Green	Mallon	Schoeneck	Winters
Dobbs	Gunderman	Mance	Schulz	Wood
Dominy	Hackett	Marlatt	Sheridan	Young
Dowling				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2354) entitled "An act to amend chapter two hundred and twenty-eight of the Laws of eighteen hundred and ninety-five, entitled 'An act relating to the moneys received by the town of Hounsfield from the sale of stock in the Carthage, Watertown and Sacketts Harbor Railroad Company,' relative to the care and custody of such moneys, and the accounting and removal of railroad commissioner" (Int No. 1674), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Haines	Matthews	Shuttleworth
Apgar	Dudley	Hamilton	McCue	Sinclair
Baldwin	Duell	Hammond	Merritt	Smith A E
Baumann	Eagleton	Harawitz	Miller	Smith C
Blue	Eggleston	Harper	Mills	Staley
Bohan	Eichhorn	Harris	Mooney	Stern
Boshart	Farrell	Hart	Moreland	Stevenson
Brooks	Ferguson	Hastings	Murphy C F	Stratton
Brough	Feth	Hoey	Murphy G W	Surpless
Brown	Filley	Holmes	Nevins	Todd
Buckley	Flanagan	Hooper	Newton	Volk
Burhyte	Foley C F	Hubbs	Northrup	Waddell
Burns	Foley J A	Hurd	Norton	Wagner
Burzynski	Fowler	Huth	O'Brian	Wainwright
Cavanaugh	Francis	Jackson	Oliver	Walters
Cole	Ganly	Jacobs	Parker	Waters
Collins	Garbe	Keller	Patton	Weber
Colné	Geoghagan	Lansing	Phillips	Weimert
Conklin	Glore	Lee	Prentice	Wells
Conrady	Gluck	Lewis	Ralston	West
Croak	Glynn	Lowe	Reece	Whitley
Cunningham	Goldberg	Lupton	Rogers	Whitney F G
Cuvillier	Gray	Maher	Schmidt	Whitney G H
De Groot	Green	Mallon	Schoeneck	Winters
Dobbs	Gunderman	Mance	Schulz	Wood
Dominy	Hackett	Marlatt	Sheridan	Young
Dowling				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2296) entitled "An act to amend the charter of the city of New Rochelle, in relation to the salary of the clerk of the board of education" (Int. No. 1671), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 1

Those who voted in the affirmative were:

Allen	Dowling	Hackett	Marlatt	Shuttleworth
Apgar	Draper	Haines	Matthews	Sinclair
Baldwin	Dudley	Hamilton	McCue	Smith A F
Baumann	Duell	Hammond	Merritt	Smith C
Blue	Eagleton	Harawitz	Miller	Staley
Bohan	Eggleston	Harper	Mills	Stern
Boshart	Eichhorn	Harris	Mooney	Stevens
Brooks	Farrell	Hart	Murphy C F	Stratton
Brough	Ferguson	Hastings	Murphy G W	Surpluss
Brown	Feth	Hoey	Nevins	Todd
Buckley	Filley	Holmes	Newton	Volk
Burhyte	Flanagan	Hooper	Northrup	Waddell
Burns	Foley C F	Hubbs	Norton	Wagner
Burzynski	Foley J A	Hurd	O'Brian	Wainwright
Cavanaugh	Fowler	Huth	Oliver	Walters
Cole	Francis	Jackson	Parker	Waters
Collins	Ganly	Jacobs	Patton	Weber
Colné	Garbe	Keller	Phillips	Weimert
Conklin	Geoghagan	Lansing	Prentice	Wells
Conrady	Glore	Lee	Ralston	West
Croak	Gluck	Lewis	Reece	Whitley
Cunningham	Glynn	Lowe	Rogers	Whitney F G
Cuvillier	Goldberg	Lupton	Schmidt	Whitney G H
De Groot	Gray	Maher	Schoeneck	Winters
Dobbs	Green	Mallon	Schulz	Wood
Dominy	Gunderman	Mance	Sheridan	Young

In the negative:

Moreland

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2355) entitled "An act to amend the Railroad Law, in relation to the protection of street railroad employees in the county of Westchester" (Int. No. 1178), was read the third

time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present:

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Haines	Matthews	Shuttleworth
Apgar	Dudley	Hamilton	McCue	Sinclair
Baldwin	Duell	Hammond	Merritt	Smith A E
Baumann	Eagleton	Harawitz	Miller	Smith C
Blue	Eggleston	Harper	Mills	Staley
Bohan	Eichhorn	Harris	Mooney	Stern
Boshart	Farrell	Hart	Moreland	Stevenson
Brooks	Ferguson	Hastings	Murphy C F	Stratton
Brough	Feth	Hoey	Murphy G W	Surpless
Brown	Filley	Holmes	Nevins	Todd
Buckley	Flanagan	Hooper	Newton	Volk
Burhyte	Foley C F	Hubbs	Northrup	Waddell
Burns	Foley J A	Hurd	Norton	Wagner
Burzynski	Fowler	Huth	O'Brian	Wainwright
Cavanaugh	Francis	Jackson	Oliver	Walters
Cole	Ganly	Jacobs	Parker	Waters
Collins	Garbe	Keller	Patton	Weber
Colné	Geoghagan	Lansing	Phillips	Weimert
Conklin	Glore	Lee	Prentice	Wells
Conrad	Gluck	Lewis	Ralston	West
Croak	Glynn	Lowe	Reece	Whitley
Cunningham	Goldberg	Lupton	Rogers	Whitney F G
Cuvillier	Gray	Maher	Schmidt	Whitney G H
De Groot	Green	Mallon	Schoeneck	Winters
Dobbs	Gunderman	Mance	Schulz	Wood
Dominy	Hackett	Marlatt	Sheridan	Young
Dowling				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2342) entitled "An act to amend the Code of Civil Procedure, relative to fixing costs and allowances in Surrogates' Courts and the amount thereof" (Int. No. 1240), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Haines	Matthews	Shutleworth
Apgar	Dudley	Hamilton	McCue	Sinclair
Baldwin	Duell	Hammond	Merritt	Smith A E
Baumann	Eagleton	Harawitz	Miller	Smith C
Blue	Eggleston	Harper	Mills	Staley
Bohan	Eichhorn	Harris	Mooney	Stern
Boshart	Farrell	Hart	Moreland	Stevenson
Brooks	Ferguson	Hastings	Murphy C F	Stratton
Brough	Feth	Hoey	Murphy G W	Surplless
Brown	Filley	Holmes	Nevins	Todd
Buckley	Flanagan	Hooper	Newton	Volk
Burhyte	Foley C F	Hubbs	Northrup	Waddell
Burns	Foley J A	Hurd	Norton	Wagner
Burzynski	Fowler	Huth	O'Brian	Wainwright <sup>+</sup>
Cavanaugh	Francis	Jackson	Oliver	Walters
Cole	Ganly	Jacobs	Parker	Waters
Collins	Garbe	Keller	Patton	Weber
Colné	Geoghagan	Lansing	Phillips	Weimert
Conklin	Glore	Lee	Prentice	Wells
Conrady	Gluck	Lewis	Ralston	West
Croak	Glynn	Lowe	Reece	Whitley
Cunningham	Goldberg	Lupton	Rogers	Whitney F G
Cuvillier	Gray	Maher	Schmidt	Whitney G H
De Groot	Green	Mallon	Schoeneek	Winters
Dobbs	Gunderman	Mance	Schulz	Wood
Dominy	Hackett	Marlatt	Sheridan	Young
Dowling				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2341) entitled "An act to amend the Navigation Law, relative to authorizing temporary assignments of the inspectors of steam vessels to the Department of Labor" (Int. No. 1220), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Haines	Matthews	Shuttleworth
Apgar	Dudley	Hamilton	McCue	Sinclair
Baldwin	Duell	Hammond	Merritt	Smith A E
Baumann	Eagleton	Harawitz	Miller	Smith C
Blue	Eggleston	Harper	Mills	Staley
Bohan	Eichhorn	Harris	Mooney	Stern
Boshart	Farrell	Hart	Moreland	Stevenson
Brooks	Ferguson	Hastings	Murphy C F	Stratton
Brough	Feth	Hoey	Murphy G W	Surpluss
Brown	Filley	Holmes	Nevins	Todd
Buckley	Flanagan	Hooper	Newton	Volk
Burhyte	Foley C F	Hubbs	Northrup	Waddell
Burns	Foley J A	Hurd	Norton	Wagner
Burzynski	Fowler	Huth	O'Brian	Wainwright
Cavanaugh	Francis	Jackson	Oliver	Walters
Cole	Ganly	Jacobs	Parker	Waters
Collins	Garbe	Keller	Patton	Weber
Colné	Geoghagan	Lansing	Phillips	Weimert
Conklin	Glore	Lee	Prentice	Wells
Conrady	Gluck	Lewis	Ralston	West
Croak	Glynn	Lowe	Reece	Whitley
Cunningham	Goldberg	Lupton	Rogers	Whitney F G
Cuvillier	Gray	Maher	Schmidt	Whitney G H
De Groot	Green	Mallon	Schoeneck	Winters
Dobbs	Gunderman	Mance	Schulz	Wood
Dominy	Hackett	Marlatt	Sheridan	Young
Dowling				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2356) entitled "An act to amend the Public Health Law by defining optometry and regulating the practice thereof" (Int. No. 452), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 105

NOES 11

Those who voted in the affirmative were:

Allen	Dudley	Haines	Marlatt	Sinclair
Averill	Eagleton	Hamilton	Matthews	Smith C
Baldwin	Eggleston	Hamn	McCue	Staley
Baumann	Eichhorn	Harawitz	Merritt	Stanton
Blue	Farrell	Harper	Miller	Stern

Bohan	Fay	Harris	Mills	Stevenson
Boshart	Ferguson	Hastings	Moreland	Stratton
Brooks	Filley	Hoey	Morgan	Surpluss
Brough	Flanagan	Holmes	Nevins	Volk
Brown	Foley J A	Hooper	Newton	Voss
Buckley	Fowler	Hubbs	Northrup	Wagner
Cavanaugh	Frisbie	Jackson	Oliver	Wainwright
Cole	Ganly	Keller	Parker	Waters
Collins	Garbe	Lansing	Patton	Weber
Colné	Geoghagan	Lee	Prince	Weimert
Conklin	Glore	Lewis	Ralston	West
Croak	Glynn	Lowe	Reece	Whitley
Cunningham	Goldberg	Lupton	Robinson	Whitney G H
Cuvillier	Gray	Maher	Rogers	Winters
De Groot	Gunderman	Mallon	Sheridan	Yale
Dominy	Hackett	Mance	Shuttleworth	

Those who voted in the negative were:

Burhyte	Francis	Hammond	Prentice	Schulz
Draper	Gluck	Hart	Schmidt	Wood
Duell				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2340) entitled "An act to amend the Penal Code, relative to ticket speculators, concerning public places of amusement" (Int. No. 1232), having been announced for a third reading,

On motion of Mr. Hammond, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 2353) entitled "An act to amend the Labor Law, relative to children working in streets and public places in cities of the first or second class" (Int. No. 1539), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Haines	Matthews	Shuttleworth
Apgar	Dudley	Hamilton	McCue	Sinclair
Baldwin	Duell	Hammond	Merritt	Smith A E

Baumann	Eagleton	Harawitz	Miller	Smith C
Blue	Eggleston	Harper	Mills	Staley
Bohan	Eichhorn	Harris	Mooney	Stern
Boshart	Farrell	Hart	Moreland	Stevenson
Brooks	Ferguson	Hastings	Murphy C F	Stratton
Brough	Feth	Hoey	Murphy G W	Surpless
Brown	Filley	Holmes	Nevins	Todd
Buckley	Flanagan	Hooper	Newton	Volk
Burhyte	Foley C F	Hubbs	Northrup	Waddell
Burns	Foley J A	Hurd	Norton	Wagner
Burzynski	Fowler	Huth	O'Brian	Wainwright
Cavanaugh	Francis	Jackson	Oliver	Walters
Cole	Ganly	Jacobs	Parker	Waters
Collins	Garbe	Keller	Patton	Weber
Colné	Geoghagan	Lansing	Phillips	Weimert
Conklin	Glore	Lee	Prentice	Wells
Conrady	Gluck	Lewis	Ralston	West
Croak	Glynn	Lowe	Reece	Whitley
Cunningham	Goldberg	Lupton	Rogers	Whitney F G
Cuvillier	Gray	Maher	Schmidt	Whitney G H
De Groot	Green	Mallon	Schoeneck	Winters
Dobbs	Gunderman	Mance	Schulz	Wood
Dominy	Hackett	Marlatt	Sheridan	Young
Dowling				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2339) entitled "An act to amend the Greater New York charter, in relation to licensing auctioneers" (Int. No. 857), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Haines	Matthews	Shuttleworth
Apgar	Dudley	Hamilton	McCue	Sinclair
Baldwin	Duell	Hammond	Merritt	Smith A E
Baumann	Eagleton	Harawitz	Miller	Smith C
Blue	Eggleston	Harper	Mills	Staley
Bohan	Eichhorn	Harris	Mooney	Stern
Boshart	Farrell	Hart	Moreland	Stevenson
Brooks	Ferguson	Hastings	Murphy C F	Stratton
Brough	Feth	Hoey	Murphy G W	Surpless
Brown	Filley	Holmes	Nevins	Todd
Buckley	Flanagan	Hooper	Newton	Volk
Burhyte	Foley C F	Hubbs	Northrup	Waddell

Burns	Foley J A	Hurd	Norton	Wagner
Burzynski	Fowler	Huth	O'Brian	Wainwright
Cavanaugh	Francis	Jackson	Oliver	Walters
Cole	Ganly	Jacobs	Parker	Waters
Collins	Garbe	Keller	Patton	Weber
Colné	Geoghagan	Lansing	Phillips	Weimert
Conklin	Glore	Lee	Prentice	Wells
Conrady	Gluck	Lewis	Ralston	West
Croak	Glynn	Lowe	Reece	Whitley
Cunningham	Goldberg	Lupton	Rogers	Whitney F G
Cuvillier	Gray	Maher	Schmidt	Whitney G H
De Groot	Green	Mallon	Schoeneck	Winters
Dobbs	Gunderman	Mance	Schulz	Wood
Dominy	Hackett	Marlatt	Sheridan	Young
Dowling				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2158) entitled "An act to establish a pension fund for the paid fire department of the city of Yonkers" (Int. No. 1599), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Haines	Matthews	Shuttleworth
Apgar	Dudley	Hamilton	McCue	Sinclair
Baldwin	Duell	Hammond	Merritt	Smith A E
Baumann	Eagleton	Harawitz	Miller	Smith C
Blue	Eggleston	Harper	Mills	Staley
Bohan	Eichhorn	Harris	Mooney	Stern
Boshart	Farrell	Hart	Moreland	Stevenson
Brooks	Ferguson	Hastings	Murphy C F	Stratton
Brough	Feth	Hoey	Murphy G W	Surpless
Brown	Filley	Holmes	Nevins	Todd
Buckley	Flanagan	Hooper	Newton	Volk
Burhyte	Foley C F	Hubbs	Northrup	Waddell
Burns	Foley J A	Hurd	Norton	Wagner
Burzynski	Fowler	Huth	O'Brian	Wainwright
Cavanaugh	Francis	Jackson	Oliver	Walters
Cole	Ganly	Jacobs	Parker	Waters
Collins	Garbe	Keller	Patton	Weber
Colné	Geoghagan	Lansing	Phillips	Weimert
Conklin	Glore	Lee	Prentice	Wells
Conrady	Gluck	Lewis	Ralston	West
Croak	Glynn	Lowe	Reece	Whitley

Cunningham	Goldberg	Lupton	Rogers	Whitney F G
Cuvillier	Gray	Maher	Schmidt	Whitney G H
De Groot	Green	Mallon	Schoeneck	Winters
Dobbs	Gunderman	Mance	Schulz	Wood
Dominy	Hackett	Marlatt	Sheridan	Young
Dowling				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2290) entitled "An act to amend the Liquor Tax Law, in relation to places in which the traffic in liquor shall not be permitted" (Int. No. 1664), having been announced,

Debate was had thereon, when Mr. Moreland moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

AYES 61

NOES 60

Those who voted in the affirmative were:

Allen	Cunningham	Francis	Keller	Schmidt
Apgar	Cuvillier	Frisbie	Lee	Schulz
Baumann	Dominy	Garbe	Lewis	Schwegler
Blue	Donnelly	Geoghagan	Loos	Sheridan
Bohan	Dowling	Glore	Maher	Sinclair
Boshart	Draper	Gluck	Mallon	Smith A E
Brooks	Eagleton	Glynn	Mance	Staley
Brown	Eichhorn	Green	Merritt	Stern
Buckley	Farrell	Hackett	Murphy C F	Voss
Burhyte	Fay	Harawitz	Oliver	Wagner
Burns	Feth	Hastings	Prince	Weber
Cavanaugh	Fowler	Jackson	Ralston	Yale
Conrady				

Those who voted in the negative were:

Averill	Ganly	Hubbs	Northrup	Stevenson
Brough	Goldberg	Lansing	Norton	Stratton
Cole	Gray	Lowe	O'Brian	Wainwright
Collins	Gunderman	Lupton	Parker	Walters
Conklin	Haines	Marlatt	Patton	Waters

Croak	Hammond	Matthews	Prentice	Weimert
De Groot	Hamn	McCue	Reece	Wells
Dudley	Harper	Miller	Robinson	West
Duell	Harris	Mills	Rogers	Whitley
Eggleston	Hart	Morgan	Shuttleworth	Whitney G H
Ferguson	Holmes	Nevins	Smith C	Winters
Filley	Hooper	Newton	Stanton	Wood

Mr. Ralston moved to reconsider the vote by which said bill was lost, and that said motion lie on the table.

Mr Speaker put the question whether the House would agree to said motion, and it was decided in the affirmative.

The bill (No. 2070) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Daniel F. Strobel and Dennis Moynehan, doing business under the firm name of Strobel and Moynehan, against the State for damages alleged to have been sustained by them and to render judgment therefor" (Int. No. 1557), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hackett	Marlatt	Sheridan
Apgar	Draper	Haines	Matthews	Shuttleworth
Baldwin	Dudley	Hamilton	McCue	Sinclair
Baumann	Duell	Hammond	Merritt	Smith A E
Blue	Eagleton	Harawitz	Miller	Smith C
Bohan	Eggleston	Harper	Mills	Staley
Boshart	Fichhorn	Harris	Mooney	Stern
Brooks	Farrell	Hart	Moreland	Stevenson
Brough	Ferguson	Hastings	Murphy C F	Stratton
Brown	Feth	Hoey	Murphy G W	Surpluss
Buckley	Filley	Holmes	Nevins	Todd
Burhyte	Flanagan	Hooper	Newton	Volk
Burns	Foley C F	Hubbs	Northrup	Wagner
Burzynski	Foley J A	Hurd	Norton	Wainwright
Cavanaugh	Fowler	Huth	O'Brian	Walters
Cole	Francis	Jackson	Oliver	Waters
Collins	Ganly	Jacobs	Parker	Weber
Colne	Garbe	Keller	Patton	Weimert
Conklin	Geoghagan	Lansing	Phillips	Wells

Conrady	Glore	Lee	Prentice	West
Croak	Gluck	Lewis	Ralston	Whitley
Cunningham	Glynn	Lowe	Reece	Whitney F G
Cuvillier	Goldberg	Lupton	Rogers	Whitney G H
De Groot	Gray	Maher	Schmidt	Winters
Dobbs	Green	Mallon	Schoeneck	Wood
Dominy	Gunderman	Mance	Schulz	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1858) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section three of article two of the Constitution in relation to the qualification of certain voters" (Int. No. 1271), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hackett	Marlatt	Sheridan
Apgar	Draper	Haines	Matthews	Shuttleworth
Baldwin	Dudley	Hamilton	McCue	Sinclair
Baumann	Duell	Hammond	Merritt	Smith A E
Blue	Eagleton	Harawitz	Miller	Smith C
Bohan	Eggleston	Harper	Mills	Staley
Boshart	Eichhorn	Harris	Mooney	Stern
Brooks	Farrell	Hart	Moreland	Stevenson
Brough	Ferguson	Hastings	Murphy C F	Stratton
Brown	Feth	Hoey	Murphy G W	Surplless
Buckley	Filley	Holmes	Nevins	Todd
Burhyte	Flanagan	Hooper	Newton	Volk
Burns	Foley C F	Hubbs	Northrup	Wagner
Burzynski	Foley J A	Hurd	Norton	Wainwright
Cavanaugh	Fowler	Huth	O'Brian	Walters
Cole	Francis	Jackson	Oliver	Waters
Collins	Ganly	Jacobs	Parker	Weber
Colné	Garbe	Keller	Patton	Weimert
Conklin	Geoghagan	Lansing	Phillips	Wells
Conrady	Glore	Lee	Prentice	West
Croak	Gluck	Lewis	Ralston	Whitley
Cunningham	Glynn	Lowe	Reece	Whitney F G
Cuvillier	Goldberg	Lupton	Rogers	Whitney G H
De Groot	Gray	Maher	Schmidt	Winters
Dobbs	Green	Mallon	Schoeneck	Wood
Dominy	Gunderman	Mance	Schulz	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 376) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Manheim Brown, against the State, for damages alleged to have been sustained by him, and to render judgment therefor" (Int. No. 371), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 1

Those who voted in the affirmative were:

Allen	Dowling	Hackett	Marlatt	Shuttleworth
Apgar	Draper	Haines	Matthews	Sinclair
Baldwin	Dudley	Hamilton	McCue	Smith A E
Baumann	Duell	Hammond	Merritt	Smith C
Blue	Eagleton	Harawitz	Miller	Staley
Bohan	Eggleston	Harper	Mills	Stern
Boshart	Eichhorn	Harris	Mooney	Stevenson
Brooks	Farrell	Hart	Murphy C F	Stratton
Brough	Ferguson	Hastings	Murphy G W	Surpless
Brown	Feth	Hoe	Nevins	Todd
Buckley	Filley	Holmes	Newton	Volk
Burhyte	Flanagan	Hooper	Northrup	Waddell
Burns	Foley C F	Hubbs	Norton	Wagner
Burzynski	Foley J A	Hurd	O'Brian	Wainwright
Cavanaugh	Fowler	Huth	Oliver	Walters
Cole	Francis	Jackson	Parker	Waters
Collins	Ganly	Jacobs	Patton	Weber
Colné	Garbe	Keller	Phillips	Weimert
Conklin	Geoghagan	Lansing	Prentice	Wells
Conrady	Glore	Lee	Ralston	West
Croak	Gluck	Lewis	Reece	Whitley
Cunningham	Glynn	Lowe	Rogers	Whitney F G
Cuvillier	Goldberg	Lupton	Schmidt	Whitney G H
De Groot	Gray	Maher	Schoeneck	Winters
Dobbs	Green	Mallon	Schulz	Wood
Dominy	Gundermann	Mance	Sheridan	Young

In the negative:

oreland

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2083) entitled "An act to amend chapter three hundred and seventy-one of the Laws of eighteen hundred and ninety-three, entitled 'An act to revise and consolidate the several acts in relation to the village of Dansville, and to revise and amend the charter of said village and to repeal certain acts and parts of acts,' generally" (Int. No. 1570), having been announced for third reading,

On motion of Mr. Parker, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 2330) entitled "An act to amend chapter one hundred and sixty-seven of the Laws of nineteen hundred and six, entitled 'An act to make the office of county clerk of Wyoming county a salaried office and regulating the management of said office,' generally" (Int. No. 1687), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Haines	Matthews	Shuttleworth
Apgar	Dudley	Hamilton	McCue	Sinclair
Baldwin	Duell	Hammond	Merritt	Smith A E
Baumann	Eagleton	Harawitz	Miller	Smith C
Blue	Eggleston	Harper	Mills	Staley
Bohan	Eichhorn	Harris	Mooney	Stern
Boshart	Farrell	Hart	Moreland	Stevenson
Brooks	Ferguson	Hastings	Murphy C F	Stratton
Brough	Feth	Hoey	Murphy G W	Surpless
Brown	Filley	Holmes	Nevins	Todd
Buckley	Flanagan	Hooper	Newton	Volk
Burhyte	Foley C F	Hubbs	Northrup	Waddell
Burns	Foley J A	Hurd	Norton	Wagner
Burzynski	Fowler	Huth	O'Brian	Wainwright
Cavanaugh	Francis	Jackson	Oliver	Walters
Cole	Ganly	Jacobs	Parker	Waters
Collins	Garbe	Keller	Patton	Weber
Colné	Geoghagan	Lansing	Phillips	Weimert
Conklin	Glore	Lee	Prentice	Wells
Conrady	Gluck	Lewis	Ralston	West
Croak	Glynn	Lowe	Reece	Whitley

Cunningham	Goldberg	Lupton	Rogers	Whitney F G
Cuvillier	Gray	Maher	Schmidt	Whitney G H
De Groot	Green	Mallon	Schoeneck	Winters
Dobbs	Gunderman	Mance	Schulz	Wood
Dominy	Hackett	Marlatt	Sheridan	Young
Dowling				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 257) entitled "An act to legalize the issuing of bonds of the town of Franklin, in the county of Franklin, authorized by the board of supervisors of said county, for the purpose of defraying the expense of filling in and repairing a portion of the highway leading from Loon lake to Bloomingdale, known as the 'Long Crossway' in said town, and to provide for the payment of the principal and interest thereof" (Int. No. 256), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Haines	Matthews	Shuttleworth
Apgar	Dudley	Hamilton	McCue	Sinclair
Baldwin	Duell	Hammond	Merritt	Smith A E
Baumann	Eagleton	Harawitz	Miller	Smith C
Blue	Eggleston	Harper	Mills	Staley
Bohan	Eichhorn	Harris	Mooney	Stern
Boshart	Farrell	Hart	Moreland	Stevenson
Brooks	Ferguson	Hastings	Murphy C F	Stratton
Brough	Feth	Hoe	Murphy G W	Surpluss
Brown	Filley	Holmes	Nevins	Todd
Buckley	Flanagan	Hooper	Newton	Volk
Burhyte	Foley C F	Hubbs	Northrup	Waddell
Burns	Foley J A	Hurd	Norton	Wagner
Burzynski	Fowler	Huth	O'Brian	Wainwright
Cavanaugh	Francis	Jackson	Oliver	Walters
Cole	Ganly	Jacobs	Parker	Waters
Collins	Garbe	Keller	Patton	Weber
Colné	Geoghagan	Lansing	Phillips	Weimert
Conklin	Glore	Lee	Prentice	Wells
Conrady	Gluck	Lewis	Ralston	West
Croak	Glynn	Lowe	Reece	Whitley
Cunningham	Goldberg	Lupton	Rogers	Whitney F G

Ouvillier	Gray	Maher	Schmidt	Whitney G H
De Groot	Green	Mallon	Schoeneck	Winters
Dobbs	Gundermann	Mance	Schulz	Wood
Dominy	Hackett	Marlatt	Sheridan	Young
Dowling				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1485) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for trout in Chango county" (Int. No. 1233), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Haines	Matthews	Shuttleworth
Apgar	Dudley	Hamilton	McCue	Sinclair
Baldwin	Duell	Hammond	Merritt	Smith A E
Baumann	Eagleton	Harawitz	Miller	Smith C
Blue	Eggleston	Harper	Mills	Staley
Bohan	Eichhorn	Harris	Mooney	Stern
Boshart	Farrell	Hart	Moreland	Stevenson
Brooks	Ferguson	Hastings	Murphy C F	Stratton
Brough	Feth	Hoey	Murphy G W	Surpless
Brown	Filley	Holmes	Nevins	Todd
Buckley	Flanagan	Hooper	Newton	Volk
Burhyte	Foley C F	Hubbs	Northrup	Waddell
Burns	Foley J A	Hurd	Norton	Wagner
Burzynski	Fowler	Huth	O'Brian	Wainwright
Cavanaugh	Francis	Jackson	Oliver	Walters
Cole	Ganly	Jacobs	Parker	Waters
Collins	Garbe	Keller	Patton	Weber
Colné	Geoghagan	Lansing	Phillips	Weimert
Conklin	Glore	Lee	Prentice	Wells
Conrady	Gluck	Lewis	Ralston	West
Croak	Glynn	Lowe	Reece	Whitley
Cunningham	Goldberg	Lupton	Rogers	Whitney F G
Cuvillier	Gray	Maher	Schmidt	Whitney G H
De Groot	Green	Mallon	Schoeneck	Winters
Dobbs	Gundermann	Mance	Schulz	Wood
Dominy	Hackett	Marlatt	Sheridan	Young
Dowling				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1481) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the First National Bank of Ellenville, New York, against the State of New York, and to render judgment therefor" (Int. No. 1229), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 1

Those who voted in the affirmative were:

Allen	Dowling	Hackett	Marlatt	Shuttleworth
Apgar	Draper	Haines	Matthews	Sinclair
Baldwin	Dudley	Hamilton	McCue	Smith A E
Baumann	Duell	Hammond	Merritt	Smith C
Blue	Eagleton	Harawitz	Miller	Staley
Bohan	Eggleston	Harper	Mills	Stern
Boshart	Eichhorn	Harris	Mooney	Stevenson
Brooks	Farrell	Hart	Murphy C F	Stratton
Brough	Ferguson	Hastings	Murphy G W	Surpless
Brown	Feth	Hoey	Nevins	Todd
Buckley	Filley	Holmes	Newton	Volk
Burhyte	Flanagan	Hooper	Northrup	Waddell
Burns	Foley C F	Hubbs	Norton	Wagner
Burzynski	Foley J A	Hurd	O'Brian	Wainwright
Cavanaugh	Fowler	Huth	Oliver	Walters
Cole	Francis	Jackson	Parker	Waters
Collins	Ganly	Jacobs	Patton	Weber
Colné	Garbe	Keller	Phillips	Weimert
Conklin	Geoghagan	Lansing	Prentice	Wells
Conrady	Glore	Lee	Ralston	West
Croak	Gluck	Lewis	Reece	Whitley
Cunningham	Glynn	Lowe	Rogers	Whitney F G
Cuvillier	Goldberg	Lupton	Schmidt	Whitney G H
De Groot	Gray	Maher	Schoeneck	Winters
Dobbs	Green	Mallon	Schulz	Wood
Dominy	Gundermann	Mance	Sheridan	Young

In the negative:

Moreland

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2156) entitled "An act to authorize the common council of the city of Yonkers to establish sewage disposal plants

in the seventh ward, as now established in the city of Yonkers, and to empower the common council of said city, to raise the necessary funds therefor" (Int. No. 1597), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Haines	Matthews	Shuttleworth
Apgar	Dudley	Hamilton	McCue	Sinclair
Baldwin	Duell	Hammond	Merritt	Smith A E
Baumann	Eagleton	Harawitz	Miller	Smith C
Blue	Eggleston	Harper	Mills	Staley
Bohan	Eichhorn	Harris	Mooney	Stern
Boshart	Farrell	Hart	Moreland	Stevenson
Brooks	Ferguson	Hastings	Murphy C F	Stratton
Brough	Feth	Hoey	Murphy G W	Surpless
Brown	Filley	Holmes	Nevins	Todd
Buckley	Flanagan	Hooper	Newton	Volk
Burhyte	Foley C F	Hubbs	Northrup	Waddell
Burns	Foley J A	Hurd	Norton	Wagner
Burzynski	Fowler	Huth	O'Brian	Wainwright
Cavanaugh	Francis	Jackson	Oliver	Walters
Cole	Ganly	Jacobs	Parker	Waters
Collins	Garbe	Keller	Patton	Weber
Colné	Geoghagan	Lansing	Phillips	Weimert
Conklin	Glore	Lee	Prentice	Wells
Conrady	Gluck	Lewis	Ralston	West
Croak	Glynn	Lowe	Reece	Whitley
Cunningham	Goldberg	Lupton	Rogers	Whitney F G
Cuvillier	Gray	Maher	Schmidt	Whitney G H
De Groot	Green	Mallon	Schoeneck	Winters
Dobbs	Gundermann	Mance	Schulz	Wood
Dominy	Hackett	Marlatt	Sheridan	Young
Dowling				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1479) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of A. L. Greene against the State for expenses incurred as a deputy factory inspector, and to render judgment therefor"

(Int. No. 1227), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Haines	Matthews	Shuttleworth
Apgar	Dudley	Hamilton	McCue	Sinclair
Baldwin	Duell	Hammond	Merritt	Smith A E
Baumann	Eagleton	Harawitz	Miller	Smith C
Blue	Eggleston	Harper	Mills	Staley
Bohan	Eichhorn	Harris	Mooney	Stern
Boshart	Farrell	Hart	Moreland	Stevenson
Brooks	Ferguson	Hastings	Murphy C F	Stratton
Brough	Feth	Hoev	Murphy G W	Surpless
Brown	Filley	Holmes	Nevins	Todd
Buckley	Flanagan	Hooper	Newton	Volk
Burhyte	Foley C F	Hubbs	Northrup	Waddell
Burns	Foley J A	Hurd	Norton	Wagner
Burzynski	Fowler	Huth	O'Brian	Wainwright
Cavanaugh	Francis	Jackson	Oliver	Walters
Cole	Ganly	Jacobs	Parker	Waters
Collins	Garbe	Keller	Patton	Weber
Colné	Geoghagan	Lansing	Phillips	Weimert
Conklin	Glore	Lee	Prentice	Wells
Conrady	Gluck	Lewis	Ralston	West
Croak	Glynn	Lowe	Reece	Whitley
Cunningham	Goldberg	Lupton	Rogers	Whitney F G
Cuvillier	Gray	Maher	Schmidt	Whitney G H
De Groot	Green	Mallon	Schoeneck	Winters
Dobbs	Gundermann	Mance	Schulz	Wood
Dominy	Hackett	Marlatt	Sheridan	Young
Dowling				

Ordered. That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1869) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the claim of William W. Bryan for damages arising from the sale by the State Comptroller of the north half of lot number seven, great lot number seven, seventeenth allotment, Kayaderosseras patent, for the alleged non-payment of the taxes of eighteen hundred and ninety-six, town of Greenfield, Saratoga county, at tax sale of

nineteen hundred, alleged to have been sustained by him, and to render judgment therefor" (Int. No. 1554), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Haines	Matthews	Shuttleworth
Apgar	Dudley	Hamilton	McCue	Sinclair
Baldwin	Duell	Hammond	Merritt	Smith A E
Baumann	Eagleton	Harawitz	Miller	Smith C
Blue	Eggleston	Harper	Mills	Staley
Bohan	Eichhorn	Harris	Mooney	Stern
Boshart	Farrell	Hart	Moreland	Stevenson
Brooks	Ferguson	Hastings	Murphy C F	Stratton
Brough	Feth	Hoey	Murphy G W	Surpless
Brown	Filley	Holmes	Nevins	Todd
Buckley	Flanagan	Hooper	Newton	Volk
Burhyte	Foley C F	Hubbs	Northrup	Waddell
Burns	Foley J A	Hurd	Norton	Wagner
Burzynski	Fowler	Huth	O'Brian	Wainwright
Cavanaugh	Francis	Jackson	Oliver	Walters
Cole	Ganly	Jacobs	Parker	Waters
Collins	Garbe	Keller	Patton	Weber
Colné	Geoghagan	Lansing	Phillips	Weimert
Conklin	Glore	Lee	Prentice	Wells
Conrady	Gluck	Lewis	Ralston	West
Croak	Glynn	Lowe	Reece	Whitley
Cunningham	Goldberg	Lupton	Rogers	Whitney F G
Cuvillier	Gray	Maher	Schmidt	Whitney G H
De Groot	Green	Mallon	Schoeneck	Winters
Dobbs	Gunderman	Mance	Schulz	Wood
Dominy	Hackett	Marlatt	Sheridan	Young
Dowling				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2172) entitled "An act to provide for the widening of West First street, otherwise known as West Lincoln avenue, in the city of Mount Vernon, from South Eleventh avenue in said city, to the New York city line, and providing for the expense of said improvement" (Int. No. 1614), was read the third time,

having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Haines	Matthews	Shuttleworth
Apgar	Dudley	Hamilton	McCue	Sinclair
Baldwin	Duell	Hammond	Merritt	Smith A E
Baumann	Eagleton	Harawitz	Miller	Smith C
Blue	Eggleston	Harper	Mills	Staley
Bohan	Eichhorn	Harris	Mooney	Stern
Boshart	Farrell	Hart	Moreland	Stevenson
Brooks	Ferguson	Hastings	Murphy C F	Stratton
Brough	Feth	Hoey	Murphy G W	Surpless
Brown	Filley	Holmes	Nevins	Todd
Buckley	Flanagan	Hooper	Newton	Volk
Burhyte	Foley C F	Hubbs	Northrup	Waddell
Burns	Foley J A	Hurd	Norton	Wagner
Burzynski	Fowler	Huth	O'Brian	Wainwright
Cavanaugh	Francis	Jackson	Oliver	Walters
Cole	Ganly	Jacobs	Parker	Waters
Collins	Garbe	Keller	Patton	Weber
Colné	Geoghagan	Lansing	Phillips	Weimert
Conklin	Glore	Lee	Prentice	Wells
Conrady	Gluck	Lewis	Ralston	West
Croak	Glynn	Lowe	Reece	Whitley
Cunningham	Goldberg	Lupton	Rogers	Whitney F G
Cuvillier	Gray	Maher	Schmidt	Whitney G H
De Groot	Green	Mallon	Schoeneck	Winters
Dobbs	Gunderman	Mance	Schulz	Wood
Dominy	Hackett	Marlatt	Sheridan	Young
Dowling				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 693) entitled "An act to amend chapter seven hundred and eighteen of the Laws of nineteen hundred and four, entitled 'An act authorizing the selection of lands as a site for the New York State Training School for Boys, and establishing the said school,' as amended by chapter one hundred and thirty-three of the Laws of nineteen hundred and five and by chapter six hundred and seventeen of the Laws of nineteen hundred

and six, in relation to the grant by the Commissioners of the Land Office to the city of New York of the sunken meadow in East river adjacent to Randall's Island, and of the land under water surrounding the same to the bulk-head line" (Rec. No. 126), having been announced for a third reading,

On motion of Mr. Prentice, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 2312) entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations" (Int. No. 1587), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Haines	Matthews	Shuttleworth
Apgar	Dudley	Hamilton	McCue	Sinclair
Baldwin	Duell	Hammond	Merritt	Smith A E
Baumann	Eagleton	Harawitz	Miller	Smith C
Blue	Eggleston	Harper	Mills	Staley
Bohan	Eichhorn	Harris	Mooney	Stern
Boshart	Farrell	Hart	Moreland	Stevenson
Brooks	Ferguson	Hastings	Murphy C F	Stratton
Brough	Feth	Hoey	Murphy G W	Surpless
Brown	Filley	Holmes	Nevins	Todd
Buckley	Flanagan	Hooper	Newton	Volk
Burhyte	Foley C F	Hubbs	Northrup	Waddell
Burns	Foley J A	Hurd	Norton	Wagner
Burzynski	Fowler	Huth	O'Brian	Wainwright
Cavanaugh	Francis	Jackson	Oliver	Walters
Cole	Ganly	Jacobs	Parker	Waters
Collins	Garbe	Keller	Patton	Weber
Colné	Geoghagan	Lansing	Phillips	Weimert
Conklin	Glore	Lee	Prentice	Wells
Conrady	Gluck	Lewis	Ralston	West
Croak	Glynn	Lowe	Reece	Whitley
Cunningham	Goldberg	Lupton	Rogers	Whitney F G
Cuvillier	Gray	Maher	Schmidt	Whitney G H
De Groot	Green	Mallon	Schoeneck	Winters
Dobbs	Gunderman	Mance	Schulz	Wood
Dominy	Hackett	Marlatt	Sheridan	Young
Dowling				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

A message from the Governor, by the hand of his secretary, was received and read, in words following:

STATE OF NEW YORK,  
EXECUTIVE CHAMBER,  
ALBANY, April 23, 1907.

*To the Assembly:*

I herewith return without my approval Assembly bill (No. 1049, Senate reprint No. 848), entitled "An act to amend chapter seven hundred and five of the laws of nineteen hundred and one, entitled 'An act to make the office of sheriff of the county of Kings a salaried office and regulating the management of said office,' generally."

This bill creates the positions of confidential stenographer and secretary to the under sheriff at salaries of twelve hundred and fifteen hundred dollars respectively, and raises the salary of three cooks from three hundred to four hundred and eighty dollars each, and of one laundress from two hundred and fifty to three hundred and sixty dollars.

It is absurd that the Legislature should be called upon to deal with matters of this sort. The propriety of creating such positions and making such increases should be determined by the local authorities under an appropriate amendment of the charter.

CHARLES E. HUGHES.

On motion of Mr. Feth, said bill, together with said message, was ordered laid upon the table.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK,  
EXECUTIVE CHAMBER,  
ALBANY, April 19, 1907.

*To the Assembly:*

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1912, Int. No. 1319), entitled "An act to amend chapter eight hundred and thirty-four of the laws of eighteen hundred and sixty-nine, entitled 'An act to amend the act incorporating the village of Carthage, in the county of Jefferson,' generally."

CHARLES E. HUGHES.

Said bill having been announced, Mr. Wood moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hackett	Marlatt	Shuttleworth
Apgar	Draper	Haines	Matthews	Sinclair
Baldwin	Dudley	Hamilton	McCue	Smith A E
Baumann	Duell	Hammond	Merritt	Smith C
Blue	Eagleton	Harawitz	Miller	Staley
Bohan	Eggleston	Harper	Mills	Stern
Boshart	Eichhorn	Harris	Mooney	Stevenson
Brooks	Farrell	Hart	Moreland	Stratton
Brough	Ferguson	Hastings	Murphy C F	Surpless
Brown	Feth	Hoey	Nevins	Todd
Buckley	Filley	Holmes	Newton	Volk
Burhyte	Flanagan	Hooper	Northrup	Wagner
Burns	Foley C F	Hubbs	Norton	Wainwright
Burzynski	Foley J A	Hurd	O'Brian	Walters
Cavanaugh	Fowler	Huth	Oliver	Waters
Cole	Francis	Jackson	Parker	Weber
Collins	Ganly	Jacobs	Patton	Weimert
Colné	Garbe	Keller	Phillips	Wells
Conklin	Geoghagan	Lansing	Prentice	West
Conrady	Glore	Lee	Ralston	Whitley
Croak	Gluck	Lewis	Reece	Whitney F G
Cunningham	Glynn	Lowe	Rogers	Whitney G H
Cuvillier	Goldberg	Lupton	Schmidt	Winters
De Groot	Gray	Maher	Schoeneck	Wood
Dobbs	Green	Mallon	Schulz	Young
Dominy	Gundernann	Mance	Sheridan	

Mr. Wood moved that said bill be recommitted to the committee on affairs of villages, with instructions to report the same forthwith amended as follows:

Page 2, line 13, after word "assessor" insert "and of the treasurer".

Page 3, lines 4 and 5, strike out all the words in italics.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hubbs, from the committee on affairs of villages, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Conklin moved to take from the table his motion to reconsider the vote by which Assembly bill (No. 1505, Int. No. 758) entitled "An act in relation to the widening and improvement of One Hundred and Thirty-fifth street west of Saint Nicholas avenue, in the city of New York," was lost.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said motion having been announced, Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 80

NOES 45

Those who voted in the affirmative were:

Allen	Dudley	Hart	Nevins	Volk
Apgar	Duell	Hooper	Newton	Voss
Averill	Eggleston	Hubbs	Norton	Wainwright
Baldwin	Ferguson	Hurd	O'Brian	Walters
Blue	Fillee	Lansing	Parker	Waters
Boshart	Fowler	Lee	Prentice	Weber
Brooks	Francis	Lowe	Ralston	Weimert
Brough	Frisbie	Lupton	Reece	Wells
Brown	Glore	Mance	Robinson	West
Burhyte	Gray	Marlatt	Rogers	Whitley
Cole	Green	Matthews	Shuttleworth	Whitney F G
Colné	Gunderman	Miller	Smith C	Whitney G H
Conklin	Haines	Mills	Staley	Winters
Dominy	Hamilton	Moreland	Stanton	Wood
Dowling	Hamn	Morgan	Stevenson	Yale
Draper	Harris	Murphy C F	Surpluss	Young

Those who voted in the negative were:

Baumann	Donnell,	Garbe	Hoey	Northrup
Bohan	Eichhorn	Geoghagan	Holmes	Oliver
Buckley	Farrell	Gluck	Jackson	Patton
Burns	Fay	Glynn	Keller	Schmidt
Cavanaugh	Feth	Goldberg	Loos	Sheridan
Collins	Flanagan	Hackett	Maher	Smith A E
Croak	Foley C F	Hammond	Mallon	Stern
Cuvillier	Foley J A	Harper	McCue	Stratton
De Groot	Ganly	Hastings	Merritt	Wagner

Said bill having been announced, debate was had thereon.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 77

NOES 49

Those who voted in the affirmative were:

Allen	Duell	Hart	Murphy C F	Surpless
Apgar	Eggleston	Hooper	Nevins	Volk
Averill	Ferguson	Hubbs	Norton	Voss
Blue	Filley	Hurd	O'Brian	Wainwright
Boshart	Fowler	Lansing	Parker	Waters
Brooks	Francis	Lee	Prentice	Weber
Brough	Frisbie	Lowe	Ralston	Weimert
Brown	Glore	Lupton	Reece	Wells
Burhyte	Gray	Mance	Robinson	West
Cole	Green	Marlatt	Rogers	Whitley
Colné	Gunderman	Matthews	Shuttleworth	Whitney F G
Conklin	Haines	Miller	Smith C	Whitney G H
Dominy	Hamilton	Mills	Staley	Winters
Dowling	Hammond	Moreland	Stanton	Wood
Draper	Hamm	Morgan	Stevenson	Young
Dudley	Harris			

Those who voted in the negative were:

Baldwin	Donnelly	Geoghagan	Jackson	Patton
Baumann	Eichhorn	Gluck	Keller	Schmidt
Bohan	Farrell	Glynn	Loos	Schulz
Buckley	Fay	Goldberg	Maher	Sheridan
Burns	Feth	Hackett	Mallon	Smith A E
Clavanaugh	Flanagan	Harawitz	McCue	Stern
Collins	Foley C F	Harper	Merritt	Stratton
Croak	Foley J A	Hastings	Newton	Wagner
Cuvillier	Ganly	Hoey	Northrup	Walters
De Groot	Garbe	Holmes	Oliver	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Fowler offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1753, Int. No. 1078), entitled "An act to amend chapter two hundred and sixty-two of the Laws of eighteen hundred and fifty-five, entitled 'An act revising and amending an act, entitled "An act to incorporate the village of Saugerties,"' in relation to the salary of clerk," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. F. C. Whitney offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 2145, Int. No. 1610), entitled "An act to amend the liquor tax law, in relation to state commissioner of excise; deputy commissioners; special deputy commissioners; excise taxes; liquor tax certificates and local option," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *April 23, 1907.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 937, Rec. No. 170), entitled "An act to amend the forest, fish and game law, in relation to fishing with nets in Hudson and Delaware rivers and adjacent waters," for the purpose of amendment.

By order of the Senate,

LAFAYETTE B. GLEASON,

*Clerk.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned Assembly bill (No. 1381, Senate reprint No. 1258, Int. No. 890) entitled "An act to amend the Penal Code, in relation to the punishment of children under sixteen years of age."

Also, Assembly bill (No. 1050, Senate reprint No. 1262, Int. No. 664) entitled "An act to amend the Election Law, in relation to changing election districts in certain towns."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the Assembly bill (No. 842, Senate reprint No. 1265, Int. No. 777) entitled "An act to provide for the construction of intercepting sewers in and for the city of Syracuse," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Syracuse.

The Senate returned the Assembly bill (No. 1637, Senate reprint No. 1259, Int. No. 1082) entitled "An act to amend the Primary Election Law, in relation to excepting first, second and certain third class cities from special enrollment and changing the date when enrollment books shall be delivered."

Also, Assembly bill (No. 1635, Senate reprint No. 1261, Int. No. 1323) entitled "An act in relation to the County Court of Kings county and the appointment of a chief clerk and deputies and assistants therein."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the Assembly bill (No. 154, Senate reprint No. 1268, Int. No. 154) entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relating to actions by wage earners," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1753, Int. No. 1078) entitled "An act to amend chapter two hundred and sixty-two of the Laws of eighteen hundred and fifty-five, entitled 'An act revising and amending an act, entitled "An act to incorporate the village of Saugerties"' in relation to the salary of clerk," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No.

2145, Int. No. 1610) entitled "An act to amend the Liquor Tax Law, in relation to State Commissioner of Excise; Deputy Commissioners; Special Deputy Commissioners; excise taxes; liquor tax certificates and local option," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication was received from Hon. George B. McClellan, mayor of the city of New York, returning Assembly bill (No. 2006, Int. No. 665) entitled "An act to amend the Greater New York chartered, in relation to the disposition of horses used in the fire, police and street cleaning departments," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. George B. McClellan, mayor of the city of New York, returning Assembly bill (No. 958, Int. No. 132) entitled "An act to repeal section three of chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relating to the removal of actions to courts of higher jurisdiction," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. George B. McClellan, mayor of the city of New York, returning Assembly bill (No. 1175, Int. No. 1016) entitled "An act to amend the Greater New York charter, in relation to qualifications of firemen," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. George B. McClellan, mayor of the city of New York, returning Assembly bill (No. 199, Senate reprint No. 1024, Int. No. 199) entitled "An act to authorize the board of estimate and apportionment of the city of New York in its discretion to examine into the facts concerning the services rendered by Hector McNeile as clerk to a

coroner of Kings county, and to provide for the payment of such claim," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. George B. McClellan, mayor of the city of New York, returning Assembly bill (No. 1172, Int. No. 1013) entitled "An act to amend the Greater New York charter, in relation to the qualifications of patrolmen," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. George B. McClellan, mayor of the city of New York, returning Assembly bill (No. 631, Int. No. 590) entitled "An act to authorize the police commissioner of the city of New York, in his discretion, to reopen the investigation of the legality of the appointment of Joseph Devlin as a member of the police department and force of the city of New York to make a reinvestigation of the same and to reinstate or restore him as a roundsman in the police department and force of said city," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. John Hannan, mayor of the city of Ogdensburg, returning Assembly bill (No. 1589, Int. No. 860) entitled "An act to amend chapter eighty-seven of the Laws of eighteen hundred and ninety-three, entitled 'An act to amend chapter three hundred and thirty-five of the Laws of eighteen hundred and sixty-eight, entitled "An act to incorporate the city of Ogdensburg," and acts amending the same,' in relation to construction of sidewalks and curbing and to provide for the payment thereof," with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. E. P. Mann, mayor of the city of Troy, returning Assembly bill (No. 1525, Int. No. 872), entitled "An act to amend the Penal Code, relative to

discrimination and other frauds in the management of places of public entertainment and amusement, and renumbering section," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Attention being called to an error in printing Assembly bill (No. 2455, Int. No. 1747), entitled "An act for the relief of the Chapin Home for the Aged and Infirm, to authorize a sale, grant and conveyance of certain property from the city of New York to said the Chapin Home for the Aged and Infirm, and to authorize the sale, grant, conveyance or lease of the property by the Chapin Home for the Aged and Infirm," ordered that the State printer be directed to reprint said bill to correct the error.

The hour of two o'clock p. m. having arrived, Mr. Speaker declared the House adjourned.

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### WEDNESDAY, APRIL 24, 1907.

The House met pursuant to adjournment.

Prayer by Rev. John T. Driscoll, Fonda.

On motion of Mr. Rogers, the reading of the journal of yesterday was dispensed with, and the same was approved.

Mr. Speaker presented the final report of the Louisiana Purchase Exposition Commission, which was laid upon the table.

(See Document.)

The Senate sent for concurrence the following entitled bills:

"An act relating to the publication of judicial proceedings and legal notices in the second judicial department of the State of New York" (No. 164, Rec. No. 280), which was read the first time and referred to the committee on the judiciary.

"An act to amend the Greater New York charter, relative to the department of corrections and the institutions under the jurisdiction of the commissioner, and to transfer the jail buildings in Kings county from the custody of the sheriff to the commissioner

of correction" (No. 1298, Rec. No. 281), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Labor Law and repeal chapter nine of the Laws of nineteen hundred and one, relative to the organization of the Department of Labor" (No. 1255, Rec. No. 282), which was read the first time and referred to the committee on labor and industries.

"An act in relation to the tide gates in the Shinnecock canal in the town of Southampton, Suffolk county, and the jurisdiction of the town board over such gates" (No. 1291, Rec. No. 283), which was read the first time and referred to the committee on internal affairs.

"An act to amend chapter five hundred and thirty-one of the Laws of nineteen hundred, entitled "An act to provide for a police pension fund for the police force of the city of Yonkers" (No. 1080, Rec. No. 284), which was read the first time and referred to the committee on affairs of cities.

"An act to provide for the widening of West First street, otherwise known as West Lincoln avenue, in the city of Mount Vernon, from South Eleventh avenue in said city, to the New York city line, and providing for the expense of said improvement" (No. 1207, Rec. No. 285), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter five hundred and eighteen of the Laws of eighteen hundred and sixty-seven, entitled 'An act to amend an act entitled "An act to incorporate the village of White Plains,"' passed April third, eighteen hundred and sixty-six, in relation to the powers and duties of village trustees, et cetera," (No. 1301, Rec. No. 286), which was read the first time and referred to the committee on affairs of villages.

"An act to amend chapter seven hundred and forty-seven of the Laws of eighteen hundred and ninety-six, entitled 'An act to revise and consolidate the several acts in relation to the city of Kingston, to revise the charter of said city, and to establish a city court therein and define its jurisdiction and powers,' generally" (No. 759, Rec. No. 287), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' relating to the official printing of said city" (No. 1302, Rec. No. 288), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Banking Law, in relation to the lawful money reserve of banks" (No. 869, Rec. No. 289), which was read the first time and referred to the committee on banks.

"An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' in relation to salaries of clerk, police officers, policemen and janitors" (No. 991, Rec. No. 290), which was read the first time and referred to the committee on affairs of cities.

"An act to repeal section four of chapter four hundred and ninety of the Laws of eighteen hundred and eighty-eight, entitled 'An act for the incorporation of societies for the prevention of cruelty to animals and to amend sections six hundred and fifty-six and six hundred and sixty-eight of the Penal Code,' relating to cruelty to animals" (No. 875, Rec. No. 291), which was read the first time and referred to the committee on the judiciary.

"An act to amend the Insanity Law, relative to the support and maintenance of patients in State hospitals" (No. 649, Rec. No. 292), which was read the first time and referred to the committee on the judiciary.

"An act to amend chapter eighteen of the general laws, known as the County Law, relative to the issue of town obligations" (No. 700, Rec. No. 293), which was read the first time and referred to the committee on internal affairs.

"An act to regulate car service on street surface railroad in the county and borough of Queens" (No. 1297, Rec. No. 294), which was read the first time and referred to the committee on railroads.

"An act to amend chapter one hundred sixty-seven of the Laws of nineteen hundred and six, entitled 'An act to make the office of county clerk of Wyoming county a salaried office, and regulating the management of said office,' generally" (No. 1303, Rec.

No. 295), which was read the first time and referred to the committee on internal affairs.

"An act to amend the Greater New York charter, in relation to appropriations for the Ridgewood day nursery" (No. 485, Rec. No. 296), which was read the first time and referred to the committee on affairs of cities.

"An act authorizing the Commissioners of the Land Office to make a grant or grants of lands under the waters of Niagara river to the city of Buffalo for a pumping station site and for other municipal purposes, for a nominal consideration, and abandoning certain lands within the blue line of the Erie canal" (No. 1263, Rec. No. 287), which was read the first time and referred to the committee on ways and means.

"An act to revise the charter of the city of Binghamton" (No. 1285, Rec. No. 298), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Real Property Law, relative to furnishing certificate of recording discharge of mortgage by recording officer" (No. 1317, Rec. No. 299), which was read the first time and referred to the committee on the judiciary.

"Concurrent resolution of the Senate and Assembly proposing an amendment to section seven of article seven of the Constitution" (No. 1035, Rec. No. 300), which was read the first time and referred to the committee on the judiciary.

"An act to amend section twelve of the Forest, Fish and Game Law, as amended by section two of chapter five hundred and eighty of the Laws of nineteen hundred and four" (No. 1170, Rec. No. 301), which was read the first time and referred to the committee on fisheries and game.

"An act to release to Sophie Demers, widow of Joseph Demers, all the right, title and interest of the people of the State of New York in and to certain real estate situated in the town of Altamont, county of Franklin, and State of New York, acquired by escheat or otherwise, on the death of said Joseph Demers" (No. 1032, Rec. No. 302), which was read the first time and referred to the committee on ways and means.

"An act to establish school district number one in the town of Ossining in Westchester county as a union free school district,

to fix the boundaries of such district, to create its board of education a body corporate and to provide for the number, qualifications, appointment and election of the members of such board " (No. 1243, Rec. No. 303), which was read the first time and referred to the committee on internal affairs.

"An act to amend the Greater New York charter, relative to the duties of the corporation counsel in relation to noncollectible taxes " (No. 1316, Rec. No. 304), which was read the first time and referred to the committee on affairs of cities.

"An act to authorize the commissioners of the sinking fund of the city of New York to refund certain taxes upon property in the city of New York owned by the Harlem Presbyterian church " (No. 888, Rec. No. 305), which was read the first time and referred to the committee on affairs of cities.

"An act to authorize the extension of Riverside park in the city of New York by filling in certain land under water so as to permit the construction therein of a water gate and monument to Robert Fulton, the inventor of steam navigation, by the corporation known as The Robert Fulton Monument Association of the city of New York " (No. 736, Rec. No. 306), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the University Law, relative to libraries " (No. 794, Rec. No. 307), which was read the first time and referred to the committee on the judiciary.

"An act to amend the Forest, Fish and Game Law, in relation to taking fish from the waters of Orange lake, in the county of Orange " (No. 471, Rec. No. 308), which was read the first time and referred to the committee on fisheries and game.

"An act to provide for erecting a bridge over Gowanus canal in the borough of Brooklyn in the city of New York " (No. 494, Rec. No. 309), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Civil Service Law, relative to examinations " (No. 1173, Rec. No. 310), which was read the first time and referred to the committee on the judiciary.

By unanimous consent, Mr. Burhyte introduced a bill entitled "An act to amend the Forest, Fish and Game Law, relative to

the protection of trout in any of the waters of the county of Madison" (Int. No. 1782), which was read the first time.

On motion of Mr. Burhyte, and by unanimous consent, said bill was read the second time and ordered to third reading and referred to the committee on fisheries and game.

By unanimous consent, Mr. Croak introduced a bill entitled "An act to amend chapter three hundred and ninety-two of the Laws of eighteen hundred and ninety-six, entitled 'An act to regulate the commitment and discharge of certain prisoners, tramps and vagrants in Richmond county, and to prescribe the effect thereof, to provide for the support of the prisoners in the jail in the county of Richmond, and to fix the duties and compensation of the sheriff of said county and of certain employees in the jail of said county,' in relation to salary of jailor" (Int. No. 1783), which was read the first time and referred to the committee on internal affairs.

By unanimous consent, Mr. Duell introduced a bill entitled "An act to authorize the city of Mount Vernon to issue bonds for the purpose of defraying a deficiency in the police fund for the fiscal year beginning May first, nineteen hundred and seven" (Int. No. 1784), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Robinson introduced a bill entitled "An act to amend the Tax Law in relation to the taxation of rents reserved, and to repeal certain provisions thereof relative thereto" (Int. No. 1785), which was read the first time.

On motion of Mr. Robinson, and by unanimous consent, said bill was read the second time and ordered to third reading and referred to the committee on taxation and retrenchment.

By unanimous consent, Mr. Schmidt introduced a bill entitled "An act authorizing the qualified electors of the borough of the Bronx of the city of New York to vote upon the question as to whether such borough shall be erected into a separate county" (Int. No. 1786), which was read the first time.

On motion of Mr. Schmidt, and by unanimous consent, said bill was read the second time and ordered to third reading and referred to the committee on affairs of cities.

By unanimous consent, Mr. F. G. Whitney introduced a bill entitled "An act to amend the charter of the city of Fulton, in relation to providing for a hospital fund by taxation" (Int. No. 1787), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, and by request, Mr. O'Brian introduced a bill entitled "An act authorizing and directing the State Water Supply Commission to devise plans for the progressive development of the water powers of the State, for the public use, under State ownership and control, and making an appropriation therefor" (Int. No. 1788), which was read the first time and referred to the committee on ways and means.

By unanimous consent, Mr. Frisbie introduced a bill entitled "An act to make the office of the county clerk of Schenectady county a salaried office and regulating the management of said office" (Int. No. 1789), which was read the first time.

On motion of Mr. Frisbie, and by unanimous consent, said bill was read the second time and ordered to third reading and referred to the committee on internal affairs.

By unanimous consent, Mr. Goldberg introduced a bill entitled "An act to amend the Lien Law, in relation to the proceedings to discharge certain liens" (Int. No. 1790), which was read the first time and referred to the committee on the judiciary.

Also, by unanimous consent, "An act to amend the Domestic Relations Law, in relation to void and voidable marriages" (Int. No. 1791), which was read the first time and referred to the committee on the judiciary.

By unanimous consent, Mr. Harawitz introduced a bill entitled "An act to enable Samuel A. Gluck to practice pharmacy on certain conditions" (Int. No. 1792), which was read the first time and referred to the committee on public health.

By unanimous consent, Mr. Robinson introduced a bill entitled "An act to amend the Greater New York charter, in relation to water rents and expenses of meters and their connections and setting and the time when such charges become liens and the manner of returning the same" (Int. No. 1793), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Schoeneck introduced a bill entitled "An act to amend the State Finance Law, in relation to the duties of State officers concerning receipts and expenditures" (Int. No. 1794), which was read the first time.

On motion of Mr. Schoeneck, and by unanimous consent, said bill was read the second time and ordered to third reading and referred to the committee on ways and means.

By unanimous consent, the following reports of committees were received:

Mr. Mead, from the committee on the judiciary, to which was referred Assembly bill introduced by Mr. Wells (No. 1490, Int. No. 1238), entitled "An act to amend the Civil Service Law in respect to the registration of laborers."

Also, Assembly bill introduced by Mr. C. F. Murphy (No. 1741, Int. No. 1370), entitled "An act to amend section twenty-one of the Civil Service Law, in relation to power of removal."

Also, Assembly bill introduced by Mr. Schoeneck (No. 2347, Int. No. 1699), entitled "An act to amend chapter six hundred and five of the Laws of eighteen hundred and ninety-eight, entitled 'An act to incorporate the Genesee River Company, and to authorize the said company to construct and use a dam or reservoir near Portageville for improving and preserving the public health, checking floods, furnishing water for the enlarged Erie canal and for municipal purposes, and developing, utilizing and disposing of the waters and water power of said river and its tributaries above and below said dam or reservoir,' generally."

Also, Assembly bill introduced by Mr. O'Brian (No. 2345, Int. No. 1697), entitled "An act to amend the Membership Corporation Law, relative to the incorporation of bar associations."

Also, Assembly bill introduced by Mr. Glore (No. 1856, Int. No. 1451), entitled "An act to amend section six of article one of the Election Law, being chapter six of the general laws," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Mead, from the committee on the judiciary, to which was referred Assembly bill introduced by Mr. De Groot (No. 2190,

Int. No. 1627), entitled "An act to legalize the marriage of George W. Beatty and Lydia Welk and to legitimize the children of such marriage," retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. Mead, from the committee on the judiciary, to which was recommitted Assembly bill introduced by Mr. Prentice (No. 2401, Int. No. 1630), entitled "An act to amend the Primary Election Law, generally."

Also, Assembly bill introduced by Mr. Prentice (No. 1799, Int. No. 230), entitled "An act to amend chapter three of the general laws known as the Civil Service Law," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills ordered placed on the order of second reading.

Mr. Mead, from the committee on the judiciary, to which was referred Assembly bill (No. 2453, Int. No. 1745) introduced by Mr. Sinclair, entitled "An act to amend chapter ninety of the Laws of eighteen hundred and forty-six, entitled 'An act to incorporate the Hudson Orphan and Relief Association,' generally," reported in favor of the passage of the same, with the following amendment:

Page 3, line 13, after "cretion," insert "subject to the provisions of general law as to the powers and authorities of the superintendent of the poor of the county of Columbia and the regulation of the state board of charities".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Mead, from the committee on the judiciary, to which was referred Assembly bill introduced by Mr. Merritt (No. 563, Int. No. 538), entitled "An act to empower executors and administrators to convey real estate of decedents in certain cases," reported in favor of the passage of the following substitute bill:

(See Appendix No. 33.)

which report was agreed to, and said substitute bill ordered printed and placed on the order of second reading.

Mr. Mead, from the committee on the judiciary, to which was referred Senate bill introduced by Mr. Page (No. 1073, Rec. No. 240), entitled "An act to amend sections three, four, eight and ten of chapter five hundred and fifty-three of the Laws of eighteen hundred and ninety-five, entitled 'An act in relation to the Supreme Court in the first judicial district and the Appellate Division thereof in the first department,' as amended by chapter five hundred and seventy-two of the Laws of eighteen hundred and ninety-eight, chapter four hundred and ninety of the Laws of nineteen hundred, and chapter six hundred and forty-three of the Laws of nineteen hundred and six, and to repeal chapter five hundred and nineteen of the Laws of nineteen hundred and four," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Dowling, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Robinson (No. 2238, Int. No. 1647), entitled, "An act to limit the time within which actions may be brought for the removal of, or for damages for the erection or maintenance of bay windows or ornamental projections in the city of New York."

Also, Assembly bill introduced by Mr. Brough (No. 2335, Int. No. 1692), entitled "An act to amend chapter three hundred and thirty-four of the Laws of nineteen hundred and one, entitled 'An act in relation to tenement houses in cities of the first class.' "

Also, Assembly bill introduced by Mr. Brown (No. 1464, Int. No. 1212), entitled "An act to amend the Greater New York charter, as re-enacted by chapter four hundred and sixty-six of the Laws of nineteen hundred and one, relative to the police force."

Also, Assembly bill introduced by Mr. Glone (No. 2242, Int. No. 1652), entitled "An act to amend chapter three hundred and thirty-four of the Laws of nineteen hundred and one, entitled 'An act in relation to tenement houses in cities of the first class,' relative to bakeries."

Also, Assembly bill introduced by Mr. Sheridan (No. 2416, Int. No. 1722), entitled "An act empowering the sinking fund

commission of the city of New York to vacate and cancel certain assessments for public improvements upon the real property of the Church of Saint Nicholas Tolentine of the borough of the Bronx."

Also, Assembly bill introduced by Mr. Haines (No. 2433, Int. No. 1739), entitled "An act to amend chapter four hundred and seventy-nine of the Laws of nineteen hundred and three, entitled 'An act for the improvement and repair of streets and roads in Yonkers that have existed as public streets for twenty years, and to issue bonds for the payment thereof.'"

Also, Assembly bill introduced by Mr. Stanton (No. 2455, Int. No. 1747), entitled "An act for the relief of the Chapin Home for the Aged and Infirm, to authorize a sale, grant and conveyance of certain property from the city of New York to said the Chapin Home for the Aged and Infirm, and to authorize the sale, grant, conveyance or lease of the property by the Chapin Home for the Aged and Infirm."

Also, Assembly bill introduced by Mr. Duell (No. 2460, Int. No. 1752), entitled "An act to empower the common council of the city of New Rochelle to issue and sell bonds for the purpose of defraying the expense of certain public improvements."

Also, Assembly bill introduced by Mr. Dominy (No. 2104, Int. No. 1579), entitled "An act to amend chapter two hundred and sixty-nine of the Laws of nineteen hundred and two, entitled 'An act to incorporate the city of Plattsburgh,' generally."

Also, Assembly bill introduced by Mr. Hart (No. 1833, Int. No. 1432), entitled "An act to authorize the city of Utica to borrow money for the purpose of erecting and equipping a new fire station in the twelfth ward of the city."

Also, Assembly bill introduced by Mr. Mills (No. 2414, Int. No. 1720), entitled "An act to amend section one hundred and ninety-three of chapter two hundred and seventy-five of the Laws of eighteen hundred and ninety-nine, entitled 'An act to revise the charter of the city of Gloversville,' in relation to the purchase of school sites, and the erection and enlargement of school buildings; tax collections; the borrowing of money and issue and sale of bonds.

Also, Assembly bill introduced by Mr. Haines (No. 2407, Int. No. 1713), entitled "An act to amend chapter four hundred and seventy-three of the Laws of nineteen hundred and six with relation to salaries of officers in second class cities."

Also, Assembly bill introduced by Mr. O'Brian (No. 2336, Int. No. 1694), entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' relating to the official printing of said city."

Also, Assembly bill introduced by Mr. C. F. Foley (No. 2346, Int. No. 1698), entitled "An act to amend chapter one hundred and twenty of the Laws of eighteen hundred and eighty-six, entitled 'An act to revise the charter of the city of Lockport,' relating to the police department of said city."

Also, Assembly bill introduced by Mr. Haines (No. 2157, Int. No. 1598), entitled "An act to authorize the grant by the city of Yonkers to the New York Central and Hudson River Railroad Company for railroad purposes of a portion of the lands granted to the city of Yonkers by chapter five hundred and sixty-two of the Laws of eighteen hundred and ninety-nine," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Dowling, from the committee on affairs of cities, to which was recommitted Assembly bill introduced by Mr. Hackett (No. 2388, Int. No. 435), entitled "An act to amend the Greater New York charter, relative to the department of street cleaning."

Also, Assembly bill introduced by Mr. Cuvillier (No. 2382, Int. No. 456), entitled "An act to amend section eight hundred and fifty-nine of the Greater New York charter, relative to wharfage rates on harbor lighters and other vessels at the port of New York," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills ordered placed on the order of second reading.

Mr. Dowling, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Hart (No. 2427, Int. No. 1733), entitled "An act to amend chapter one hundred and eighty-eight of the Laws of nineteen hundred and six, entitled

'An act to authorize the city of Utica to construct a general system of storm water drainage, and to borrow money to pay for the same,' relative to the rate of interest to be paid on bonds."

Also, Assembly bill introduced by Mr. Gunderman (No. 2333, Int. No. 1690), entitled "An act to amend chapter two hundred and twelve of the Laws of eighteen hundred and eighty-eight, entitled 'An act to incorporate the city of Ithaca,' generally."

Also, Assembly bill introduced by Mr. Hart (No. 2428, Int. No. 1734), entitled "An act to amend chapter one hundred and thirty-one of the Laws of nineteen hundred and seven, entitled 'An act to authorize the city of Utica to borrow money and issue bonds for the purpose of completing the changing of the channel of the Mohawk river between said city and the town of Deerfield, and to authorize the Superintendent of Public Works to accept said new channel,' relative to the rate of interest to be paid on bonds."

Also, Assembly bill introduced by Mr. Gunderman (No. 2332, Int. No. 1689), entitled "An act to amend chapter three hundred and fifty-eight of the Laws of eighteen hundred and ninety-three, entitled 'An act to provide for the support of the poor in the city of Ithaca,' relative to providing funds for the board of health."

Also, Assembly bill introduced by Mr. Gunderman (No. 2334, Int. No. 1691), entitled "An act to provide a fund for bridges and other permanent street improvements in the city of Ithaca," retaining their places on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bills ordered restored to their places on the order of third reading.

Mr. Dowling, from the committee on affairs of cities, to which was referred Assembly bill (No. 801, Int. No. 735) introduced by Mr. DeGroot, entitled "An act to amend the Greater New York charter, in relation to telegraph linemen in the fire department," reported in favor of the passage of the same, with the following amendment:

Page 1, line 9, commencing with the word "all" strike out down to and including the word "dollars" in line 10, and insert in place thereof the following: "the benefits of the pension fund subject to such conditions as the fire commissioner in his discretion may perscribe. The salaries of such linemen shall be fixed

by the board of aldermen and the board of estimate and apportionment upon the recommendation of the fire commissioner”.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Dowling, from the committee on affairs of cities, to which was referred Senate bill introduced by Mr. Franchot (No. 1274, Rec. No. 275), entitled “An act to amend chapter three hundred of the Laws of nineteen hundred and four, entitled ‘An act to revise and consolidate the several acts relative to the city of Niagara Falls.’ ”

Also, Senate bill introduced by Mr. Carpenter (No. 1115, Rec. No. 214), entitled “An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled ‘An act to incorporate the city of Mount Vernon.’ ”

Also, Senate bill introduced by Mr. Grady (No. 1017, Rec. No. 184), entitled “An act authorizing the audit and allowance of the claim of John J. Scannell against the city of New York, for his costs, counsel fees and expenses paid in successfully defending himself against certain indictments filed against him during his term of office as fire commissioner in said city.”

Also, Senate bill introduced by Mr. Page (No. 442, Rec. No. 65), entitled “An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled ‘An act in relation to the Municipal Court of the city of New York, its officers and marshals,’ relative to the duties and powers of clerks.”

Also, Senate bill introduced by Mr. McCarren (No. 830, Rec. No. 155), entitled “An act to amend the Greater New York charter, in relation to the presentation of claims against the city,” reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Dowling, from the committee on affairs of cities, to which was referred the Senate bill introduced by Senate committee on affairs of cities (No. 1218, Rec. No. 242), entitled “An act to amend the Greater New York charter, in relation to the fixing of the salaries of members of the supervising and teaching staff of the public schools of the city of New York,” reported in favor of

the passage of the same without amendment, which report was agreed to, and said bill placed on the order of third reading.

Mr. Dowling, from the committee on affairs of cities, to which was referred Senate bill (No. 501, Rec. No. 75) introduced by Mr. Foelker, entitled "An act to amend an act, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals, being chapter five hundred and eighty of the Laws of nineteen hundred and two,' to authorize the formation of an appellate term in the second judicial department, to appoint clerks and attendants, and to provide for the expenses thereof," reported in favor of the passage of the same, with the following amendment:

Page 2, line 12, after the word "a" insert the word "chief". which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Dowling, from the committee on affairs of cities, to which was referred Senate bill (No. 1224, Rec. No. 263) introduced by Mr. Agnew, entitled "An act to provide for preserving the waters of the Bronx river from pollution; creating a reservation of the lands on either side of the river; authorizing the taking of lands for that purpose and providing for the payment thereof, and appointing a commission to carry out the purposes of the act," reported in favor of the passage of the same, with the following amendments:

Page 18, line 14, strike out the words "Harold E. Nagle" and insert in place thereof "Within ten days after this act takes effect the governor shall appoint three citizens of the state, one".

Page 18, line 15, strike out "Dave Hennen Morris," and insert "one".

Page 18, line 16, strike out "James G. Cannon" and insert "one".

Page 18, line 17, strike out the word "and" and insert "who with".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Apgar, from the committee on internal affairs, to which was referred Assembly bill introduced by Mr. C. Smith (No.

2291, Int. No. 1666), entitled "An act to amend the Town Law, in relation to special meetings of town boards."

Also, Assembly bill introduced by Mr. Filley (No. 640, Int. No. 599), entitled "An act to amend the Highway Law, in relation to altering or discontinuing a highway or laying out a new highway," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Hubbs, from the committee on affairs of villages, to which was referred Assembly bill introduced by Mr. Wainwright (No. 2457, Int. No. 1749), entitled "An act to enable and empower the village of Rye, in the county of Westchester, to expend for the purchase and acquisition of real property within the territorial limits of the said village, for a public park, a sum of money not exceeding two and one-half per centum of the value of the taxable property of the village, as appears by the last preceding assessment roll, and to establish, manage and maintain such park."

Also, Assembly bill introduced by Mr. Wainwright (No. 2417, Int. No. 1723), entitled "An act to amend the Village Law, relative to acquisition of lands for parks and squares."

Also, Assembly bill introduced by Mr. Apgar (No. 2373, Int. No. 1711), entitled "An act to amend chapter one hundred and seventeen of the Laws of eighteen hundred and eighty-three," entitled 'An act to amend, consolidate and revise the charter of the village of Peekskill, and the several acts amendatory thereof,' in relation to the power and authority of the board of trustees," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Hubbs, from the committee on affairs of villages, to which was referred Assembly bill introduced by Mr. Harper (No. 2328, Int. No. 1685), entitled "An act to authorize the board of trustees of the village of Waterloo, in the county of Seneca, to issue bonds for the payment of the existing indebtedness of said village."

Also, Assembly bill introduced by Mr. Apgar (No. 2432, Int. No. 1738), entitled "An act to validate a special election of the village of Briarcliff Manor, authorizing the borrowing of money,

issue of bonds, and acquisition and management of certain property," retaining their places on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bills ordered restored to their places on the order of third reading.

Mr. Hubbs, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Allds (No. 1219, Rec. No. 264), entitled "An act to amend chapter seven of the Laws of nineteen hundred and four, entitled 'An act to revise, amend and consolidate the several acts relating to the village of Norwich, and to repeal certain acts and parts of acts,' in relation to the paid police force," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Miller, from the committee on commerce and navigation, to which was referred Assembly bill introduced by Mr. Waddell (No. 2078, Int. No. 1565), entitled "An act to amend the Navigation Law, relative to the deposit of dead animals, and rafting in Lake George," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Miller, from the committee on commerce and navigation, to which was recommitted Assembly bill introduced by Mr. Lansing (No. 2106, Int. No. 1581), entitled "An act to amend an act, entitled 'An act authorizing the construction of a bridge across the Hudson river at Albany,' being chapter one hundred and forty-six of the Laws of eighteen hundred and fifty-six," retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. G. H. Whitney, from the committee on public health, to which was referred Assembly bill introduced by Mr. Prentice (No. 2289, Int. No. 1663), entitled "An act to amend the Public Health Law, in relation to adulteration and misbranding of foods," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. G. H. Whitney, from the committee on public health, to which was referred Assembly bill (No. 2367, Int. No. 1705) introduced by Mr. Wagner, entitled "An act to amend the Public Health Law, in relation to the housing of men," reported in favor of the passage of the same, with the following amendment:

On page 2, line 5, strike out the words "three hundred and twenty" and insert the words "two hundred and fifty".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Mills, from the committee on fisheries and game, to which was referred Assembly bill introduced by Mr. Hooper (No. 2410, Int. No. 1716), entitled "An act to amend the Forest, Fish and Game Law, in relation to the transportation of the carcasses and venison of domesticated deer," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Patton, from the committee on canals, to which was referred Assembly bill introduced by Mr. Averill (No. 2225, Int. No. 1633), entitled "An act to secure sufficient water in the barge canal between Lake Erie and the Genesee river," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Boshart, from the committee on agriculture, to which was referred Assembly bill introduced by Mr. Matthews (No. 2452, Int. No. 1744), entitled "An act to amend the Agricultural Law, relative to the destruction of animals and disposal of their carcasses," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. C. F. Foley (No. 2381, Int. No. 969), entitled "An act to revise the charter of the city of North Tonawanda," reported the same without recommendations, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Hooper (No. 2359, Int. No.

1281), entitled "An act to amend the Forest, Fish and Game Law, relative to taxidermists," reported the same with the following recommendations:

On page 1, line 1, after first "of" strike out balance of said line and insert in place thereof "the forest, fish and game law".

On page 1, strike out lines 2 and 3.

On page 1, line 4, strike out "adding" and insert in place thereof "inserting therein".

Same page and line, strike out "known as".

On page 1, line 5, after "thirty-six-a" strike out comma and insert in place thereof "thereof,".

On page 1, line 8, "under regulations prescribed by the commis-" not in italics.

On page 2, line 1, "sion of forests, fish and game," not in italic.

On page 2, line 4, "big game and" not in italics.

On page 2, line 6, after "state" strike out period and insert in place thereof comma and strike out balance of said line.

On page 2, strike out line 7 and the words "birds within the state of New York]" on line 8.

On page 3, line 2, "big game and" not in italics.

On page 3, line 2, after "birds" insert comma.

On page 3, line 3, strike out "[for which there is no open season,]"

On page 3, lines 6 and 7, not in italics.

On page 3, line 8, strike out "[and]"

On page 3, line 9, "Any false" not in italics.

On page 3, lines 10, 11 and 12, not in italics.

On page 3, line 13, strike out "[shall]", and "may" not in italics.

On page 4, lines 5 and 6, "shall have his license revoked by the commission and" not in italics.

which report was agreed to, and said bill ordered reprinted and engrossed, for a third reading.

Mr. West, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend chapter sixty-six of the Laws of nineteen hundred and six, entitled 'An act to make the office of sheriff of the county of Warren a salaried office,' in relation to increasing the number of deputies." (No. 2440, Int. No. 225.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of James E. Shelland

against the State of New York, for money alleged to have been expended and for services rendered as an officer in the Thirty-ninth Regiment of the New York State Militia in the years eighteen hundred and sixty-one and eighteen hundred and sixty-two, and to render judgment therefor." (No. 2467, Int. No. 862.)

"An act to amend chapter two hundred and twenty-three of the Laws of eighteen hundred and ninety, entitled 'An act to authorize towns to raise money to defray the expenses of the proper observance of Memorial or Decoration Day,' relative to the duties of town boards." (No. 2435, Int. No. 1450.)

"An act to prohibit the construction, maintenance or operation of any surface, elevated or steam railroad upon avenue F in the borough of Brooklyn." (No. 2465, Int. No. 1346.)

"An act to amend the Highway Law, relating to the cutting and removal of noxious weeds and brush and providing for the same when the highway is in the boundary lines between two or more towns." (No. 2434, Int. No. 750.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of E. J. Lawless, doing business under the title name of the Lawless Paper Company, against the State of New York, for damages alleged to have been sustained by him, and to render judgment therefor." (No. 2466, Int. No. 900.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of James P. Cunningham, against the State of New York, for damages alleged to have been sustained by him, and to render judgment therefor." (No. 2472, Int. No. 1657.)

"An act to amend the Town Law, in relation to assessors' clerks in certain towns of the county of Nassau." (No. 2437, Int. No. 1629.)

"An act to amend chapter six hundred and eighty-six of the Laws of eighteen hundred and ninety-four, entitled 'An act for the preservation of macadamized and other public highways in the counties of Queens and Nassau,' in relation to exempting certain roads from certain of the provisions thereof." (No. 2464, Int. No. 1602.)

"An act to amend the Greater New York charter, relative to the department of health pension fund." (No. 2442, Int. No. 254.)

"An act to amend the Election Law, relative to form of ballots and canvass of the vote on voting machines." (No. 2436, Int. No. 1518.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Gustavus T. Kirby, against the State, for services performed, money expended and disbursements incurred as an attorney at law, and to render judgment therefor." (No. 2471, Int. No. 1667.)

"An act to empower the board of assessors of the city of New York to estimate and allow damages sustained by owners of real property fronting upon streets and avenues abutting or approaching the bridge between Jackson avenue, in the former town of Newtown, and Broadway in the former town of Flushing in the borough of Queens, city of New York, and to provide for payment of awards." (No. 2439, Int. No. 1019.)

"An act to amend the Greater New York charter, relative to the appointment of teachers in the public schools." (No. 2470, Int. No. 1615.)

"An act to amend the Tax Law, in relation to the description of special franchises." (No. 2438, Int. No. 1202.)

"An act to amend chapter two hundred and forty-two of the Laws of nineteen hundred and six, entitled 'An act to amend, revise and consolidate the charter of the village of Ossining, and to extend the boundaries of said village.'" (No. 2441, Int. No. 1606.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Arthur L. Condit, against the State of New York, for damages alleged to have been sustained by him in the autumn of nineteen hundred and two, and to render judgment therefor." (No. 2469, Int. No. 1207.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of Clarence W. Francis, against the State, for disbursements and expenditures by him as Deputy Attorney-General of the State of New York, and to render judgment therefor." (No. 2474, Int. No. 1479.)

"An act to confer upon the Court of Claims jurisdiction to hear, audit and determine the alleged claim of the executors and devisees of Robert Earl, deceased, against the State, for compensation alleged to have been discontinued, and to render judgment therefor." (No. 2468, Int. No. 1558.)

"An act to authorize the city of New-York to acquire lands on Prospect Heights in the borough of Brooklyn as sites for public buildings, and to provide for the establishment and maintenance of public educational institutions." (No. 2473, Int. No. 1526.)

"An act to prevent fire insurance companies entering into or maintaining pools, trusts, conspiracies or agreements to control rates of insurance." (No. 479, Int. No. 466.)

"An act to amend the County Law, in relation to properly marking the graves of honorably discharged soldiers, sailors and marines." (No. 2400, Int. No. 1338.)

"An act to amend the Town Law, in relation to notice of special town meeting." (No. 2386, Int. No. 1637.)

"An act to amend the Greater New York charter, relative to revocation of licenses for public amusement." (No. 2361, Int. No. 1509.)

"An act to revise the charter of the city of North Tonawanda." (No. 2381, Int. No. 969.)

"An act to amend chapter six hundred and thirty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Yonkers,' generally." (No. 2443, Int. No. 1483.)

"An act relative to ordinances, relating to the disposition of franchises in the city of Syracuse." (No. 2426, Int. No. 1732.)

By unanimous consent, Mr. Mallon offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on electricity, gas and water supply be discharged from the further consideration of the bill (No. 78, Int. No. 78), entitled "An act in relation to illuminating gas in the city of Buffalo, and regulating the quality and pressure thereof and the price to consumers other than said city, and providing a penalty for violations."

Mr Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, Mr. Mallon moved to amend as follows:

Page 1, line 6, after the colon strike out balance of line; also strike out lines 7, 8 and 9 and insert in place thereof the words "Eighty cents per thousand cubic feet".

Page 2, strike out lines 1 and 2.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Mallon, said bill was ordered reprinted and recommitted to the committee on electricity, gas and water supply.

By unanimous consent, Mr. Duell offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of the bill (No. 1853, Int. No. 1431), entitled "An act to authorize the city of New Rochelle to borrow money by the issue of bonds for the purpose of meeting deficiencies in the funds of said city."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, Mr. Duell moved to amend as follows:

Page 1, line 7, substitute "deficiency" for deficiencies".

Same page, line 9, strike out "street and general", substitute "fund" for "funds", after "city" insert "for the redemption of certificates of indebtedness," and strike out "and to meet other deficiencies".

Same page, line 10, before "caused" insert "such deficiency being".

Page 2, lines 4 and 5, strike out "by the common council for the objects and purposes herein stated" and substitute therefor "to the redemption of certificates of indebtedness".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Duell, said bill was ordered reprinted and recommitted to the committee on affairs of cities.

The bill (No. 1202) entitled "An act to amend the Code of Civil Procedure with respect to the City Court of the city of New York, relating to an increase of the number of justices and salaries

of justices, the duties of the justices abrogating the limitation of the clerk of the amount for which judgment may be entered, and repealing the section relating thereto, relating to the appointment and removal of clerks, attendants, et cetera, and their duties, creating an appellate term of the court for the hearing of appeals from the municipal courts of the city of New York and from the City Court, and providing how such appeals may be heard, and judgments thereon enforced, and allowing appeals to the appellate division of certain cases from judgments of the City Court, and also in reference to other matters pertaining to the administration of the court" (Int. No. 287), having been announced for a second reading,

On motion of Mr. Prentice, and by unanimous consent, said bill was ordered placed on the second reading calendar for Thursday next.

The bill (No. 1428) entitled "An act to amend section three of chapter two hundred and thirty-one of the Laws of eighteen hundred and seventy-six, entitled 'An act to make the office of supervisor, in the county of Erie, a salaried office, and to provide for the appointment and compensation of other officers of said board,' as amended by chapter one hundred and ninety-five of the Laws of eighteen hundred and seventy-nine, as further amended by chapter four hundred and eighty-five of the Laws of eighteen hundred and ninety-two, in relation to the officers of the board of supervisors, and as further amended by chapter four hundred and eighty-seven of the Laws of eighteen hundred and ninety-eight" (Int. No. 1183), was read the second time.

On motion of Mr. Mallon, said bill was placed on the order of third reading.

On motion of Mr. Mallon, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Miller	Sinclair
Averill	Duell	Hamn	Mills	Smith A E
Baldwin	Eagleton	Harper	Mooney	Smith C
Baumann	Eggleston	Harris	Moreland	Smith Myron
Blue	Eichhorn	Hart	Morgan	Stern
Boshart	Farrell	Hastings	Murphy G W	Stevenson
Brooks	Ferguson	Hoey	Nevins	Stratton
Brough	Feth	Holmes	Newton	Surpless
Brown	Filley	Hooper	Northrup	Todd
Buckley	Foley C F	Hubbs	Norton	Volk
Burhyte	Foley J A	Hurd	O Brian	Voss
Burns	Fowler	Huth	Oliver	Wadde'l
Cavanaugh	Francis	Jackson	Parker	Wagner
Cole	Frisbie	Jacobs	Patton	Wainwright
Collins	Ganly	Lansing	Phillips	Waters
Colné	Garbe	Lee	Prentice	Weber
Conklin	Geoghagan	Lewis	Raston	Weimert
Conrady	Glore	Loos	Reece	Wells
Croak	Glynn	Lowe	Robinson	West
Cunningham	Goldberg	Lupton	Rogers	Whitley
Cuvillier	Gray	Maher	Schmidt	Whitney F G
De Groot	Green	Mallon	Schoeneck	Whitney G H
Dominy	Gunderman	Mance	Schulz	Winters
Donnelly	Hackett	Marlatt	Schwegler	Wood
Dowling	Haines	Matthews	Sheridan	Yale
Draper	Hamilton	Merritt	Shuttleworth	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2233) entitled "An act to amend chapter three hundred and ninety-four of the Laws of nineteen hundred and four, entitled 'An act to create and establish the office of commissioner of elections in the county of Erie and prescribing his duties,' relating to the commissioner of elections" (Int. No. 1642), was read the second time.

On motion of Mr. Shuttleworth, said bill was placed on the order of third reading and referred to the committee on revision.

Mr. Phillips in the chair.

The bill (No. 2110) entitled "An act to amend chapter nine hundred of the Laws of eighteen hundred and ninety-six, entitled 'An act authorizing the sale of ale and beer upon the premises of the New York State Soldiers' and Sailors' Home, of Bath, New York, and providing for the expenditure of the net proceeds therefrom'" (Int. No. 1585), having been announced for a second reading,

On motion of Mr. F. G. Whitney, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 1773) entitled "An act to amend section two hundred and ninety-one of the Penal Code of the State of New York" (Int. No. 1391), was read the second time.

On motion of Mr. Rogers, said bill was placed on the order of third reading and referred to the committee on revision.

On motion of Mr. Rogers, and by unanimous consent, said bill was made a special order on third reading for Tuesday next, immediately after the reading of the journal.

The bill (No. 1772) entitled "An act to amend the Code of Criminal Procedure relative to the appointment of probationary officers, and defining their duties, and with relation to criminal statistics" (Int. No. 1390), was read the second time.

On motion of Mr. Rogers, said bill was placed on the order of third reading and referred to the committee on revision.

On motion of Mr. Rogers, and by unanimous consent, said bill was made a special order on third reading for Tuesday next, immediately after the reading of the journal.

The bill (No. 1774) entitled "An act to authorize the board of estimate and apportionment of the city of New York to hear, determine, audit and allow claims of certain persons for services as probation officers in the city of New York, and directing the comptroller to pay such claims as may be allowed for such services by said board" (Int. No. 1393), was read the second time.

On motion of Mr. Rogers, said bill was placed on the order of third reading and referred to the committee on revision.

On motion of Mr. Rogers, and by unanimous consent, said bill was made a special order on third reading for Tuesday next, immediately after the reading of the journal.

The bill (No. 1775) entitled "An act to repeal section three hundred and eighty-four-b and three hundred and eighty-four-c of chapter one hundred and five of the Laws of the year eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter six hundred and twenty-seven of the Laws of the year nineteen hundred and one, in relation to the police justice" (Int. No. 1394), was read the second time.

On motion of Mr. Rogers, said bill was placed on the order of third reading and referred to the committee on revision.

On motion of Mr. Rogers, and by unanimous consent, said bill was made a special order on third reading for Tuesday next, immediately after the reading of the journal.

The bill (No. 1776) entitled "An act to amend chapter fourteen of the Laws of eighteen hundred and eighty, entitled 'An act to further amend chapter one hundred and forty-three of the Laws of eighteen hundred and sixty-one, entitled "An act to amend and consolidate the several acts in relation to the charter of the city of Rochester," ' and to consolidate therewith the several acts in relation to the charter of said city " (Int. No. 1395), was read the second time.

On motion of Mr. Rogers, said bill was placed on the order of third reading and referred to the committee on revision.

On motion of Mr. Rogers, and by unanimous consent, said bill was made a special order on third reading for Tuesday next, immediately after the reading of the journal.

The bill (No. 1789) entitled "An act to amend the Greater New York charter, relative to the commitment of persons convicted of public intoxication, disorderly conduct and vagrancy" (Int. No. 1392), was read the second time.

On motion of Mr. Rogers, said bill was placed on the order of third reading and referred to the committee on revision.

On motion of Mr. Rogers, and by unanimous consent, said bill was made a special order on third reading for Tuesday next, immediately after the reading of the journal.

The bill (No. 2403) entitled "An act in relation to probation in the State of New York, constituting chapter fifty-two of the general laws " (Int. No. 1389), was read the second time.

On motion of Mr. Rogers, said bill was placed on the order of third reading and referred to the committee on revision.

On motion of Mr. Rogers, and by unanimous consent, said bill was made a special order on third reading for Tuesday next, immediately after the reading of the journal.

By unanimous consent, Mr. Draper offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on ways and means be discharged from the further consideration of the Senate bill (No. 1161, Rec. No. 231), entitled "An act making an appropriation for electrical installation at the state reservation at Niagara."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, on motion of Mr. Draper, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Draper, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Miller	Sinclair
Averill	Duell	Hamn	Mills	Smith A E
Baldwin	Eagleton	Harper	Mooney	Smith C
Baumann	Eggleston	Harris	Moreland	Smith Myron
Blue	Eichhorn	Hart	Morgan	Stern
Boshart	Farrell	Hastings	Murphy G W	Stevenson
Brooks	Ferguson	Hoey	Nevins	Stratton
Brough	Feth	Holmes	Newton	Surpluss
Brown	Filley	Hooper	Northrup	Todd
Buckley	Foley C F	Hubbs	Norton	Volk
Burbyte	Foley J A	Hurd	O'Brian	Vos
Burns	Fowler	Huth	Oliver	Waddell
Cavanaugh	Francis	Jackson	Parker	Wagner
Cole	Frisbie	Jacobs	Patton	Wainwright
Collins	Ganly	Lansing	Phillips	Waters
Colné	Garbe	Lee	Prentice	Weber
Conklin	Geoghagan	Lewis	Ralston	Weimert
Conrady	Glore	Loos	Reece	Wells
Croak	Glynn	Lowe	Robinson	West
Cunningham	Goldberg	Lupton	Rogers	Whitley
Cuvillier	Gray	Maher	Schmidt	Whitney F G
De Groot	Green	Mallon	Schoeneck	Whitney G H
Dominy	Gundermann	Mance	Schulz	Winters
Donnelly	Hackett	Marlatt	Schwegler	Wood
Dowling	Haines	Matthews	Sheridan	Yale
Draper	Hamilton	Merritt	Shuttleworth	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 2360) entitled "An act making an appropriation for electrical installation at the State Reservation at Niagara" (Int. No. 1588), having been announced for a second reading,

On motion of Mr. Draper, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 2362) entitled "An act to empower the local authorities of the town of Hempstead in the county of Nassau to pay certain accounts" (Int. No. 1476), was read the second time.

On motion of Mr. Miller, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2363) entitled "An act to amend chapter seven hundred and six of the Laws of nineteen hundred and one, relative to additional clerks and assistants in the office of the register of the county of Kings and fixing the compensation thereof" (Int. No. 1471), was read the second time.

On motion of Mr. Glore, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2364) entitled "An act to amend the Forest, Fish and Game Law in relation to issuing licenses for nets" (Int. No. 908), having been announced for second reading,

Mr. Mills moved to amend as follows:

On page 1, line 8, strike out word "fresh"; line 9, strike out words "and all rivers and streams tributary to".

On page 2, line 1, strike out the words "the sea".

Mr Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the second time, and, on motion of Mr. Mills, was ordered reprinted and placed on the order of third reading and referred to the committee on revision.

The bill (No. 2397) entitled "An act to amend the Forest, Fish and Game Law, in relation to catching suckers with nets in the Unadilla river in Otsego and Chenango counties" (Int. No. 259), was read the second time.

On motion of Mr. Stratton, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2384) entitled "An act to amend the Agricultural Law, in relation to additional sanitary requirements as to dairy products" (Int. No. 1340), was read the second time.

On motion of Mr. Stratton, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2402) entitled "An act to amend the Labor Law and repeal chapter nine of the Laws of nineteen hundred and one, relative to the organization of the Department of Labor" (Int. No. 1601), having been announced for a second reading,

On motion of Mr. Hammond, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 2387) entitled "An act to amend the Labor Law, relative to the employment of women and minors" (Int. No. 1367), having been announced for a second reading,

On motion of Mr. Hammond, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 2396) entitled "An act to authorize the board of assessors of the city of New York to revise and reduce the assessments for the construction, completion and extension of the sewer system of the former village of Williamsbridge, and to authorize the comptroller in said city of New York to refund such portion of the assessment as may be reduced, and authorizing a certiorari by the Supreme Court to review or correct said assessment" (Int. No. 1573), was read the second time.

On motion of Mr. Wells, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2395) entitled "An act to amend the Greater New York charter in relation to the terms of appointment of clerks and assistant clerks of the Municipal Court" (Int. No. 569), was read the second time.

On motion of Mr. Conrady, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2394) entitled "An act to provide for the repaving or resurfacing of East Main street and Market street, in the city of Amsterdam, and to provide for meeting the expense thereof" (Int. No. 1186), was read the second time.

On motion of Mr. Staley, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 864, Assembly reprint No. 2399) entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter two hundred and twenty-eight of the Laws of nineteen hundred and one, relating to the repairing of private docks in the city of Buffalo" (Rec. No. 168), was read the second time.

On motion of Mr. Patton, said bill was placed on the order of third reading.

On motion of Mr. Patton, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Miller	Sinclair
Averill	Duell	Hamn	Mills	Smith A E
Baldwin	Eagleton	Harper	Mooney	Smith C
Baumann	Eggleston	Harris	Moreland	Smith Myron
Blue	Eichhorn	Hart	Morgan	Stern
Boshart	Farrell	Hastings	Murphy G W	Stevenson
Brooks	Ferguson	Hoey	Nevins	Stratton
Brough	Feth	Holmes	Newton	Surpless
Brown	Filley	Hooper	Northrup	Todd
Buckley	Foley C F	Hubbs	Norton	Volk
Burhyte	Foley J A	Hurd	O'Brian	Voss
Burns	Fowler	Huth	Oliver	Waddell
Cavanaugh	Francis	Jackson	Parker	Wagner
Cole	Frisbie	Jacobs	Patton	Wainwright
Collins	Ganly	Lansing	Phillips	Waters
Colné	Garbe	Lee	Prentice	Weber
Conklin	Geoghagan	Lewis	Ralston	Weinert
Conrady	Glore	Loos	Reece	Wells
Croak	Glynn	Lowe	Robinson	West
Cunningham	Goldberg	Lupton	Rogers	Whitley
Cuvillier	Gray	Maher	Schmidt	Whitney F G
De Groot	Green	Mallon	Schoeneck	Whitney G H
Dominy	Gunderman	Mance	Schulz	Winters
Donnelly	Hackett	Marlatt	Schwegler	Wood
Dowling	Haines	Matthews	Sheridan	Yale
Draper	Hamilton	Merritt	Shuttleworth	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 1149, Assembly reprint No. 2393) entitled "An act to amend the Greater New York charter, by providing for additional city magistrates, and for additional police clerks, assistant clerks, stenographers and interpreters for city magistrates' courts, in the second division of the city of New York" (Rec. No. 222), was read the second time.

On motion of Mr. Mooney, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 48, Assembly reprint No. 2351) entitled "An act to amend the Railroad Law, relative to the transportation of freight" (Rec. No. 47), having been announced for second reading,

Mr. Ferguson moved to amend as follows:

Page 2, line 21, after the word "capacity" strike out the words "and not to exceed three in any one day".

Page 4, line 7, strike out "promptly and at a reasonable rate of speed".

Page 4, line 8, after the word "destination" strike out ".".

Page 4, line 8, after the word "destination" insert "at the rate of fifty miles per day of twenty-four hours."

Page 5, lines 3 and 4, after the word "railroad" strike out the word "company".

Page 5, lines 9 and 10, after the word "accident" strike out the words "strikes, washouts, fires".

Page 5, line 10, strike out the word "company".

Page 5, line 12, strike out the word "company".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. C. F. Foley moved to amend as follows:

On page 4, line 8, after the word "destination" insert the following: "except in case of perishable freight, when computing from seven o'clock ante meridian of the day of receipt, the car must be carried forward and transported to the point of destination at the rate of not less than one hundred miles per day of twenty-four hours".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill, as amended, was then read the second time, and, on motion of Mr. Ferguson, was ordered reprinted and placed on the order of third reading.

Mr. Speaker in the chair.

The bill (No. 2352) entitled "An act to amend section twelve hundred and forty-two of the Code of Civil Procedure, relating to the sale of real property" (Int. No. 221), was read the second time.

On motion of Mr. Schulz, said bill was placed on the order of third reading.

On motion of Mr. Schulz, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Miller	Sinclair
Averill	Duell	Hamn	Mills	Smith A E
Baldwin	Eagleton	Harper	Mooney	Smith C
Baumann	Eggleston	Harris	Moreland	Smith Myron
Blue	Eichhorn	Hart	Morgan	Stern
Boshart	Farrell	Hastings	Murphy G W	Stevenson
Brooks	Ferguson	Hoe	Nevins	Stratton
Brough	Feth	Holmes	Newton	Surpluss
Brown	Filley	Hooper	Northrup	Todd
Buckley	Foley C F	Hubbs	Norton	Volk
Burhyte	Foley J A	Hurd	O'Brian	Voss
Burns	Fowler	Huth	Oliver	Waddell
Cavanaugh	Francis	Jackson	Parker	Wagner
Cole	Frisbie	Jacobs	Patton	Wainwright
Collins	Ganly	Lansing	Phillips	Waters
Colné	Garbe	Lee	Prentice	Weber
Conklin	Geoghagan	Lewis	Ralston	Weimert
Conrady	Glore	Loos	Reece	Wells
Croak	Glynn	Lowe	Robinson	West
Cunningham	Goldberg	Lupton	Rogers	Whitley
Cuvillier	Gray	Maher	Schmidt	Whitney F G
De Groot	Green	Mallon	Schoeneck	Whitney G H
Dominy	Gundermann	Mance	Schulz	Winters
Donnelly	Hackett	Marlatt	Schwegler	Wood
Dowling	Haines	Matthews	Sheridan	Yale
Draper	Hamilton	Merritt	Shuttleworth	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2405) entitled "An act to amend the Tax Law, in relation to the recording tax on mortgages" (Int. No. 1448), having been announced,

Mr. Green moved to amend as follows:

Page 2, line 15, after "contracts." strike out balance of line and strike out down to and including line 23, and insert in place thereof "A contract or agreement by which the indebtedness secured by any mortgage is increased or added to, shall be deemed a mortgage of real property for the purpose of this article, and shall be taxable as such upon the amount of such increase or addition."

Page 10, line 4, before the word "board" insert "state".

Page 12, line 14, strike out "upon" and insert in place thereof "of".

Page 21, between lines 6 and 7, insert "Whenever the tax imposed by section three hundred and one of this article as said section existed before the passage of this act has been paid with respect to any mortgage, no additional tax shall accrue on such mortgage under this section as hereby enacted and such mortgage and the debt or obligation secured thereby, shall continue to be entitled to the exemptions and immunities conferred by this article and all of the provisions of this article shall remain applicable to such mortgage."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to the order of second reading.

The bill (No. 2463) entitled "An act to amend the Insurance Law, in relation to discriminations in life and endowment insurance premiums, and to the privileges and protections to be accorded witnesses in all actions or proceedings involving such discriminations" (Int. No. 1465), was read the second time.

On motion of Mr. Whitley, said bill, was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2447) entitled "An act to amend chapter seven hundred and six of the Laws of nineteen hundred and one, relative to additional clerks and assistants in the office of the register

of the county of Kings, and fixing the compensation thereof" (Int. No. 971), was read the second time.

On motion of Mr. Green, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2445) entitled "An act to amend the Insurance Law, in relation to securities guaranty corporations" (Int. No. 1401), was read the second time.

On motion of Mr. Wells, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2444) entitled "An act to amend the Agricultural Law, in relation to the sale and transportation of adulterated and misbranded foods and regulating traffic therein" (Int. No. 1540), was read the second time.

On motion of Mr. Merritt, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2112) entitled "An act making an appropriation for the national encampment of the Grand Army of the Republic, to be held in the village of Saratoga Springs in the month of September, nineteen hundred and seven" (Int. No. 1510), having been announced for second reading,

Mr. Cuvillier moved to amend as follows:

On page 1, strike out lines 8 and 9.

On page 2, strike out lines 1, 2, 3, 4, 5, 6 and 7 and insert the following:

"Within fifteen days after this act takes effect, the governor shall appoint a committee to be composed of two citizens of the state of New York and two members of the department of the Grand Army of the state of New York, who have acted with the adjutant general of the state of New York, the commands of the department of the Grand Army of the republic and the counsel to the governor of the state of New York; all said persons shall compose the committee who shall have charge of the money hereby appropriated and shall represent the state of New York at such national encampments."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read the second time.

On motion of Mr. G. H. Whitney, said bill was placed on the order of third reading.

On motion of Mr. G. H. Whitney, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Miller	Sinclair
Averill	Duell	Hamn	Mills	Smith A E
Baldwin	Eagleton	Harper	Mooney	Smith C
Baumann	Eggleston	Harris	Moreland	Smith Myron
Blue	Eichhorn	Hart	Morgan	Stern
Boshart	Farrell	Hastings	Murphy G W	Stevenson
Brooks	Ferguson	Hoey	Nevins	Stratton
Brough	Feth	Holmes	Newton	Surpluss
Brown	Filley	Hooper	Northrup	Todd
Buckley	Foley C F	Hubbs	Norton	Volk
Burhyte	Foley J A	Hurd	O'Brian	Voss
Burns	Fowler	Huth	Oliver	Waddell
Cavanaugh	Francis	Jackson	Parker	Wagner
Cole	Frisbie	Jacobs	Patton	Wainwright
Collins	Ganly	Lansing	Phillips	Waters
Colné	Garbe	Lee	Prentice	Weber
Conklin	Geoghagan	Lewis	Ralston	Weinert
Conrady	Glore	Loos	Reece	Wells
Croak	Glynn	Lowe	Robinson	West
Cunningham	Goldberg	Lupton	Rogers	Whitley
Cuvillier	Gray	Maher	Schmidt	Whitney F C
De Groot	Green	Mallon	Schoeneck	Whitney G H
Dominy	Gundermann	Mance	Schulz	Winters
Donnelly	Hackett	Marlatt	Schwegler	Wood
Dowling	Haines	Matthews	Sheridan	Yale
Draper	Hamilton	Merritt	Shuttleworth	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1056) entitled "An act to amend the Code of Civil Procedure, relative to presumption in case of fire caused by railroad locomotive" (Int. No. 923), was read the second time.

On motion of Mr. Stratton, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 830) entitled "An act to amend the Penal Code by adding thereto a new section to be known as section four hun-

dred and eleven-a, relative to the destruction of dangerous weapons" (Int. No. 765), was read the second time.

On motion of Mr. Prentice, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1179) entitled "An act to amend the Penal Code, relating to the issue and redemption of trading stamps and similar devices" (Int. No. 1020), was read the second time.

On motion of Mr. C. F. Foley, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1219) entitled "An act to amend the Code of Civil Procedure, in relation to an appellate term of the Supreme Court in certain boroughs of the city of New York" (Int. No. 1056), was read the second time.

On motion of Mr. Dobbs, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1718) entitled "An act to amend the Code of Civil Procedure, in relation to an executor's accounting in Surrogate's Court" (Int. No. 1360), was read the second time.

On motion of Mr. Fowler, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1881) entitled "An act to amend the Code of Civil Procedure, in relation to the discharge of a mechanic's lien" (Int. No. 1468), was read the second time.

On motion of Mr. Young, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1158) entitled "An act to amend the Penal Code, in relation to adultery" (Int. No. 1001), was read the second time.

On motion of Mr. Phillips, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2169) entitled "An act to amend the Penal Code, in relation to wire tapping and eliminating certain defenses to a prosecution for larceny" (Int. No. 1611), having been announced for a second reading,

On motion of Mr. Harawitz, said bill was laid aside, retaining its place on the order of second reading.

The bill (No. 2191) entitled "An act to amend the Code of Civil Procedure, in relation to the proof required and the contents

of an order in an application for the abandonment of condemnation proceedings" (Int. No. 1628), was read the second time.

On motion of Mr. Miller, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2231) entitled "An act to amend the Code of Civil Procedure, in relation to security upon order of arrest" (Int. No. 1639), was read the second time.

On motion of Mr. Prince, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2230) entitled "An act to amend the Penal Code, in relation to the punishment for the crime of burglary" (Int. No. 1638) was read the second time.

On motion of Mr. Prentice, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 599) entitled "An act to amend the Code of Civil Procedure, relative to attachments" (Rec. No. 91), was read the second time.

On motion of Mr. Mooney, said bill was placed on the order of third reading.

The bill (No. 2340) entitled "An act to amend the Penal Code, relative to ticket speculators, concerning public places of amusement" (Int. No. 1232), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 2

Those who voted in the affirmative were:

Apgar	Dudley	Harper	Mooney	Smith A E
Averill	Duell	Harris	Moreland	Smith C
Baldwin	Eagleton	Hart	Morgan	Smith Myron
Baumann	Eggleston	Hastings	Murphy G W	Stern
Blue	Eichhorn	Hoey	Nevins	Stevenson
Boshart	Farrell	Holmes	Newton	Stratton
Brooks	Ferguson	Hooper	Northrup	Surpless
Brough	Feth	Hubbs	Norton	Todd
Brown	Filley	Hurd	O'Brian	Volk

Buckley	Foley C F	Huth	Oliver	Voss
Burhyte	Fowler	Jackson	Parker	Waddell
Burns	Francis	Jacobs	Patton	Wagner
Cavanaugh	Frisbie	Lansing	Phillips	Wainwright
Cole	Ganly	Lee	Prentice	Waters
Collins	Garbe	Lewis	Ralston	Weber
Colné	Geoghagan	Loos	Reece	Weimert
Conklin	Glore	Lowe	Robinson	Wells
Conrady	Glynn	Lupton	Rogers	West
Croak	Goldberg	Maher	Schmidt	Whitley
Cunningham	Gray	Mallon	Schoeneck	Whitney F G
Cuvillier	Green	Mance	Schulz	Whitney G H
De Groot	Gundermann	Marlatt	Schwegler	Winters
Dominy	Haines	Matthews	Sheridan	Wood
Donnelly	Hamilton	Merritt	Shuttleworth	Yale
Dowling	Hammond	Miller	Sinclair	Young
Draper	Hamn	Mills ;		

Those who voted in the negative were:

Hackett            Foley J A

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2374) entitled "An act to amend the Railroad Law, in relation to the rate of fare" (Int. No. 1501), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 99

NOES 5

Those who voted in the affirmative were:

Allen	De Groot	Glynn	Maher	Sheridan
Apgar	Dominy	Goldberg	Marlatt	Smith A E
Averill	Donnelly	Gray	Matthews	Smith C
Baldwin	Dudley	Green	McCue	Staley
Baumann	Duell	Gunderman	Merritt	Stanton
Brady	Eagleton	Hackett	Miller	Stern
Brooks	Eichhorn	Haines	Mills	Stratton
Brown	Farrell	Hammond	Mooney	Surplless
Buckley	Fay	Hamn	Morgan	Volk
Burhyte	Ferguson	Harawitz	Murphy C F	Voss
Burns	Feth	Harper	Nevins	Wagner
Cavanaugh	Filley	Harris	Oliver	Walters
Cole	Flanagan	Holmes	Patton	Waters
Collins	Fowler	Hubbs	Phillips	Weber

Colné	Francis	Jackson	Prince	Weimert
Conklin	Ganly	Keller	Ralston	Whitney G H
Conrady	Garbe	Lansing	Reece	Winters
Croak	Geoghagan	Lee	Robinson	Wood
Cunningham	Glore	Loos	Schulz	Young
Cuvillier	Gluck	Lowe	Schwegler	

Those who voted in the negative were:

Eggleston	Frisbie	Newton	Wainwright	Wells
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Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2377) entitled "An act to amend the Penal Code, in relation to the sale and furnishing of certain poisons" (Int. No. 347), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Miller	Smith A E
Averill	Duell	Hamn	Mills	Smith C
Baldwin	Eagleton	Harper	Mooney	Smith Myron
Baumann	Eggleston	Harris	Moreland	Stern
Blue	Eichhorn	Hart	Morgan	Stevenson
Boshart	Farrell	Hastings	Murphy G W	Stratton
Brooks	Ferguson	Hoey	Nevins	Surpluss
Brough	Feth	Holmes	Newton	Todd
Brown	Filley	Hooper	Northrup	Volk
Buckley	Foley C F	Hubbs	Norton	Voss
Burhyte	Foley J A	Hurd	O'Brian	Waddell
Burns	Fowler	Huth	Oliver	Wagner
Cavanaugh	Francis	Jackson	Parker	Wainwright
Cole	Frisbie	Jacobs	Patton	Waters
Collins	Ganly	Lansing	Phillips	Weber
Colné	Garbe	Lee	Prentice	Weinert
Conklin	Geoghagan	Lewis	Ralston	Wells
Conrady	Glore	Loos	Reece	West
Croak	Glynn	Lowe	Robinson	Whitley
Cunningham	Goldberg	Lupton	Rogers	Whitney F G
Cuvillier	Gray	Maher	Schmidt	Whitney G H
De Groot	Green	Mallon	Schulz	Winters
Dominy	Gunderman	Mance	Schwegler	Wood
Donnelly	Hackett	Marlatt	Sheridan	Yale
Dowling	Haines	Matthews	Shuttleworth	Young
Draper	Hamilton	Merritt	Sinclair	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2380) entitled "An act to amend the Village Law, in relation to auctioneering, hawking and peddling of goods, wares and merchandise or property of any kind in villages" (Int. No. 1650), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Miller	Smith A E
Averill	Duell	Hamn	Mills	Smith C
Baldwin	Eagleton	Harper	Mooney	Smith Myr n
Baumann	Eggleston	Harris	Morgan	Stern
Blue	Eichhorn	Hart	Murphy G W	Stevenson
Boshart	Farrell	Hastings	Nevins	Stratton
Brooks	Ferguson	Hoey	Newton	Surpluss
Brough	Feth	Holmes	Northrup	Todd
Brown	Filley	Hooper	Norton	Volk
Buckley	Foley C F	Hubbs	O'Brian	Voss
Burhyte	Foley J A	Hurd	Oliver	Waddell
Burns	Fowler	Huth	Parker	Wagner
Cavanaugh	Francis	Jackson	Tatton	Wainwright
Cole	Frisbie	Jacobs	Phillips	Waters
Collins	Ganly	Lansing	Prentice	Weber
Colné	Garbe	Lee	Ralston	Weimert
Conklin	Geoghagan	Lewis	Reece	Wells
Conrady	Glore	Loos	Robinson	West
Croak	Glynn	Lowe	Rogers	Whitley
Cunningham	Goldberg	Lupton	Schmidt	Whitney F G
Cuvillier	Gray	Maher	Schoeneck	Whitney G H
De Groot	Green	Mallon	Schulz	Winters
Dominy	Gunderman	Mance	Schwegler]	Wood
Donnelly	Hackett	Marlatt	Sheridan	Yale
Dowling	Haines	Matthews	Shuttleworth	Young
Draper	Hamilton	Merritt	Sinclair	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2375) entitled "An act to amend the Code of Civil Procedure, relative to stenographer fees in Westchester county" (Int. No. 1555), was read the third time, having been

printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Miller	Sinclair
Averill	Duell	Hamn	Mills	Smith A E
Baldwin	Eagleton	Harper	Mooney	Smith C
Baumann	Eggleston	Harris	Moreland	Smith Myron
Blue	Eichhorn	Hart	Morgan	Stern
Boshart	Farrell	Hastings	Murphy G W	Stevenson
Brooks	Ferguson	Hoey	Nevins	Stratton
Brough	Feth	Holmes	Newton	Surpless
Brown	Filley	Hooper	Northrup	Todd
Buckley	Foley C F	Hubbs	Norton	Volk
Burhyte	Foley J A	Hurd	O'Brian	Voss
Burns	Fowler	Huth	Oliver	Waddell
Cavanaugh	Francis	Jackson	Parker	Wagner
Cole	Frisbie	Jacobs	Patton	Wainwright
Collins	Ganly	Lansing	Phillips	Waters
Colné	Garbe	Lee	Prentice	Weber
Conklin	Geoghagan	Lewis	Ralston	Weimert
Conrady	Glore	Loos	Reece	Wells
Croak	Glynn	Lowe	Robinson	West
Cunningham	Goldberg	Lupton	Rogers	Whitley
Cuvillier	Gray	Maher	Schmidt	Whitney F G
De Groot	Green	Mallon	Schoeneck	Whitney G H
Dominy	Gundermann	Mance	Schulz	Winters
Donnelly	Hackett	Marlatt	Schwegler	Wood
Dowling	Haines	Matthews	Sheridan	Yale
Draper	Hamilton	Merritt	Shuttleworth	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2378) entitled "An act to amend the Greater New York charter, relative to vacations of employees whose compensation is fixed by the day or hour" (Int. No. 1447), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Merritt	Shuttleworth
Averill	Duell	Hamn	Miller	Sinclair
Baldwin	Eagleton	Harper	Mills	Smith A E
Baumann	Eggleston	Harris	Mooney	Smith C
Blue	Eichhorn	Hart	Moreland	Smith Myron
Boshart	Farrell	Hastings	Morgan	Stern
Brooks	Ferguson	Hoey	Murphy G W	Stevenson
Brough	Feth	Holmes	Nevins	Stratton
Brown	Filley	Hooper	Newton	Todd
Buckley	Foley C F	Hubbs	Northrup	Volk
Burhyte	Foley J A	Hurd	Norton	Voss
Burns	Fowler	Huth	O'Brian	Waddell
Cavanaugh	Francis	Jackson	Oliver	Wagner
Cole	Frisbie	Jacobs	Parker	Wainwright
Collins	Ganly	Lansing	Patton	Waters
Colné	Garbe	Lee	Phillips	Weber
Conklin	Geoghagan	Lewis	Prentice	Weimert
Conrady	Glore	Loos	Ralston	Wells
Croak	Glynn	Lowe	Reece	West
Cunningham	Goldberg	Lupton	Robinson	Whitney F G
Cuvillier	Gray	Maher	Rogers	Whitney G H
De Groot	Green	Mallon	Schmidt	Winters
Dominy	Gundermann	Mance	Schulz	Wood
Donnelly	Hackett	Marlatt	Schwegler	Yale
Dowling	Haines	Matthews	Sheridan	Young
Draper	Hamilton			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 531, Assembly reprint No. 2376) entitled "An act to amend the Greater New York charter, in relation to the amount of annual pension to retiring members of the fire department" (Rec. No. 86), having been announced for a third reading,

On motion of Mr. McCue, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1813) entitled "An act to establish and maintain a water department in and for the city of Cortland" (Int. No. 1423), having been announced for a third reading,

On motion of Mr. Newton, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 2309) entitled "An act to amend chapter forty-four of the Laws of eighteen hundred and fifty-three, entitled 'An act for the better support of the poor, in the town of New-

burgh, in the county of Orange,' in relation to said town receiving credit for excise moneys" (Int. No. 1521), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Miller	Sinclair
Averill	Duell	Hamn	Mills	Smith A L
Baldwin	Eagleton	Harper	Mooney	Smith C
Baumann	Eggleston	Harris	Moreland	Smith Myron
Blue	Eichhorn	Hart	Morgan	Stern
Boshart	Farrell	Hastings	Murphy G W	Stevenson
Brooks	Ferguson	Hoey	Nevins	Stratton
Brough	Feth	Holmes	Norton	Surpless
Brown	Filley	Hooper	Northrup	Todd
Buckley	Foley C F	Hubbs	Norton	Volk
Burhyte	Foley J A	Hurd	O'Brian	Voss
Burns	Fowler	Huth	Oliver	Waddell
Cavanaugh	Francis	Jackson	Parker	Wagner
Cole	Frisbie	Jacobs	Patton	Wainwright
Collins	Ganly	Lansing	Phillips	Waters
Colné	Garbe	Lee	Prentice	Weber
Conklin	Geoghagan	Lewis	Ralston	Weimert
Conrad	Glore	Loos	Reece	Wells
Croak	Glynn	Lowe	Robinson	West
Cunningham	Goldberg	Lupton	Rogers	Whitley
Cuvillier	Gray	Maher	Schmidt	Whitney F G
De Groot	Green	Mallon	Schulz	Whitney G H
Dominy	Gundermann	Mance	Schwegler	Winters
Donnelly	Hackett	Marlatt	Sheridan	Wood
Dowling	Haines	Matthews	Shuttleworth	Young
Draper	Hamilton	Merritt		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 478) entitled "An act relating to the Brooklyn college, authorizing and empowering educational institutions in the city of New York to consolidate with, merge in or enter into contracts with the Brooklyn college, and authorizing and empowering the city of New York to establish and maintain said college" (Int. No. 465); was read the third time, having been

printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Miller	Sinclair
Averill	Duell	Hamn	Mills	Smith A E
Baldwin	Eagleton	Harper	Mooney	Smith C
Baumann	Eggleston	Harris	Moreland	Smith Myron
Blue	Eichhorn	Hart	Morgan	Stern
Boshart	Farrell	Hastings	Murphy G W	Stevenson
Brooks	Ferguson	Hoe	Nevins	Stratton
Brough	Feth	Holmes	Newton	Surpless
Brown	Filley	Hooper	Northrup	Todd
Buckley	Foley C F	Hubbs	Norton	Volk
Burbyte	Foley J A	Hurd	O'Brian	Voss
Burns	Fowler	Huth	Oliver	Waddell
Cavanaugh	Francis	Jackson	Parker	Wagner
Cole	Frisbie	Jacobs	Patton	Wainwright
Collins	Ganly	Lansing	Phillips	Waters
Colné	Garbe	Lee	Prentice	Weber
Conklin	Geoghagan	Lewis	Ralston	Weimert
Conrady	Glore	Loos	Reece	Wells
Croak	Glynn	Lowe	Robinson	West
Cunningham	Goldberg	Lupton	Rogers	Whitley
Cuvillier	Gray	Maher	Schmidt	Whitney F G
De Groot	Green	Mallon	Schoeneck	Whitney G H
Dominy	Gundermann	Mance	Schulz	Winters
Donnelly	Hackett	Marlatt	Schwegler	Wood
Dowling	Haines	Matthews	Sheridan	Yale
Draper	Hamilton	Merriitt	Shuttleworth	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 693) entitled "An act to amend chapter seven hundred and eighteen of the Laws of nineteen hundred and four, entitled 'An act authorizing the selection of lands as a site for the New York State Training School for Boys, and establishing the said school,' as amended by chapter one hundred and thirty-three of the Laws of nineteen hundred and five and by chapter six hundred and seventeen of the Laws of nineteen hundred and six, in relation to the grant by the Commissioners of the Land Office to the city of New York of the sunken meadow

in East river adjacent to Randall's island, and of the land under water surrounding the same to the bulk-head line" (Rec. No. 126), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 102

NOES 7

Those who voted in the affirmative were:

Allen	Donnelly	Gluck	Maher	Sheridan
Averill	Draper	Glynn	Mallon	Shuttleworth
Baldwin	Dudley	Goldberg	Mance	Smith A E
Baumann	Duell	Gray	Matthews	Stanton
Blue	Eagleton	Green	McCue	Stern
Bohan	Eggleston	Gundermann	Merritt	Stevenson
Boshart	Eichhorn	Hackett	Mills	Stratton
Brooks	Farrell	Haines	Mooney	Volk
Brown	Fay	Hammond	Moreland	Voss
Buckley	Ferguson	Hamn	Morgan	Wagner
Burhyte	Feth	Harawitz	Murphy C F	Walters
Cavanaugh	Filley	Harper	Northrup	Waters
Cole	Flanagan	Harris	Oliver	Weber
Collins	Foley C F	Hastings	Parker	Weimert
Colné	Foley J A	Hoey	Patton	Whitley
Conklin	Fowler	Holmes	Phillips	Whitney F G
Croak	Francis	Jackson	Ralston	Whitney G H
Cunningham	Ganly	Lansing	Robinson	Wood
Cuvillier	Garbe	Lee	Rogers	Yale
De Groot	Geoghagan	Loos	Schwegler	Young
Dominy	Glore			

Those who voted in the negative were:

Apgar	Hurd	Wainwright	Wells	Winters
Hubbs	Prentice			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1053) entitled "An act supplementary to chapter one hundred and seven of the Laws of eighteen hundred and twenty-one, entitled 'An act declaring a part of the Black river a public highway, and for other purposes,' passed March sixteen, eighteen hundred and twenty-one" (Rec. No. 202), having been announced for a third reading,

On motion of Mr. Wood, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK,  
EXECUTIVE CHAMBER,  
ALBANY, April 24, 1907.

*To the Assembly:*

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 2145, Int. No. 1610), entitled "An act to amend the liquor tax law, in relation to the state commissioner of excise; deputy commissioners; special deputy commissioners; liquor tax certificates, and local option."

CHARLES E. HUGHES.

Said bill having been announced, Mr. F. G. Whitney moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Miller	Sinclair
Averill	Duell	Hamn	Mills	Smith A E
Baldwin	Eagleton	Harper	Mooney	Smith C
Baumann	Eggleston	Harris	Moreland	Smith Myron
Blue	Eichhorn	Hart	Morgan	Stern
Boshart	Farrell	Hastings	Murphy G W	Stevenson
Brooks	Ferguson	Hoey	Nevins	Stratton
Brough	Feth	Holmes	Newton	Surpless
Brown	Filley	Hooper	Northrup	Todd
Buckley	Foley C F	Hubbs	Norton	Volk
Burhyte	Foley J A	Hurd	O'Brian	Voss
Burns	Fowler	Huth	Oliver	Wagner
Cavanaugh	Francis	Jackson	Parker	Wainwright
Cole	Frisbie	Jacobs	Patton	Waters
Collins	Ganly	Lansing	Phillips	Weber
Colné	Garbe	Lee	Prentice	Weimert
Conklin	Geoghagan	Lewis	Ralston	Wells

Conrady	Glore	Loos	Reece	West
Croak	Glynn	Lowe	Robinson	Whitley
Cunningham	Goldberg	Lupton	Rogers	Whitney F G
Cuvillier	Gray	Maher	Schmidt	Whitney G H
De Groot	Green	Mallon	Schulz	Winters
Dominy	Gundermann	Mance	Schwegler	Wood
Donnelly	Hackett	Marlatt	Sheridan	Yale
Dowling	Haines	Matthews	Shuttleworth	Young
Draper	Hamilton	Merritt		

Mr. F. G. Whitney moved that said bill be recommitted to the committee on excise, with instructions to report the same forthwith, amended as follows:

Page 1, amend title by striking out the words "excise taxes; liquor tax certificates".

Page 3, line 7, strike out brackets and the word "October".

Page 3, line 8, strike out brackets and the word "May".

Page 8, strike out lines 24 and 25.

Page 9, strike out from and including line 1 to and including line 23.

Page 9, line 24, strike out "5" after "§" and insert "4".

Page 10, line 25, strike out "6" after "§" and insert "5".

Page 14, line 15, strike out brackets and the word "October".

Page 15, line 17, strike out brackets and the word "October".

Page 16, line 2, strike out letter "t" in word "not" so as to read "no liquor tax certificate".

Page 16, line 8, strike out "7" after "§" and insert "6".

Page 16, line 18, strike out all after the word "May"; strike out all of line 19.

Page 16, line 20, strike out the words "the first day of October".

Page 23, line 3, strike out the comma after the word "May".

Strike out lines 4 and 5.

Page 23, line 6, strike out "first day of October".

Page 24, strike out from and including line 3 to and including line 26.

Page 25, strike out from and including line 1 to and including line 26.

Page 26, strike out from and including line 1 to and including line 14.

Page 26, line 15, strike out "9" after "§" and insert "7".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. F. G. Whitney, from the committee on excise, reported said

bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication was received from the Governor and read, in the words following:

STATE OF NEW YORK,  
EXECUTIVE CHAMBER,  
ALBANY, April 24, 1907.

*To the Assembly:*

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1753, Int. No. 1078), entitled "An act to amend chapter two hundred and sixty-two of the laws of eighteen hundred and fifty-five, entitled 'An act revising and amending an act, entitled "An act to incorporate the village of Saugerties,"' in relation to the salary of clerk."

CHARLES E. HUGHES.

Said bill having been announced, Mr. Fowler moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hammond	Mills	Smith A E
Averill	Duell	Hamn	Mooney	Smith C
Baldwin	Eagleton	Harper	Moreland	Smith Myron
Baumann	Eggleston	Harris	Morgan	Stern
Blue	Eichhorn	Hastings	Murphy G W	Stevenson
Boshart	Farrell	Hoey	Nevins	Stratton
Brooks	Ferguson	Holmes	Newton	Surpless
Brough	Feth	Hoopec	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Foley C F	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddel
Burns	Fowler	Jackson	Parker	Wagner
Cavanaugh	Francis	Jacobs	Patton	Wainwright
Cole	Frisbie	Lansing	Phillips	Waters
Collins	Ganly	Lee	Prentice	Weber
Colié	Garbe	Lewis	Ralston	Weimt

Conklin	Geoghagan	Loos	Reece	Wells
Conrad	Glore	Lowe	Robinson	West
Croak	Glynn	Lupton	Rogers	Whitley
Cunningham	Goldberg	Maher	Schmidt	Whitney F G
Cuvillier	Gray	Mallon	Schulz	Whitney G H
De Groot	Green	Mance	Schwegler	Winters
Dominy	Gundermann	Marlatt	Sheridan	Wood
Donnelly	Hackett	Matthews	Shuttleworth	Yale
Dowling	Haines	Merritt	Sinclair	Young
Draper	Hamilton	Miller		

Mr. Fowler moved that said bill be recommitted to the committee on affairs of villages, with instructions to report the same forthwith, amended as follows:

Page 2, lines 14 to 17, strike out words “, the former at not to exceed the rate of one hundred and fifty dollars per year, and the latter at not to exceed the rate of five hundred dollars per year.”

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hubbs, from the committee on affairs of villages, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Newton offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor requesting the return to the Assembly of Assembly bill (No. 1221, Int. No. 1058), entitled “An act to provide for supplying the village of McGrawville with water, to authorize said village to incur indebtedness therefor and to create a board of water commissioners for said village,” for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Marlatt offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the mayor of the city of Hornell, requesting that he return to the Assembly a certified copy of Assembly bill (No. 1949, Int. No. 1290), entitled “An act to amend chapter two hundred and eighty-eight of the laws of nineteen hundred and six, entitled ‘An act to revise the charter of the city of Hornellsville and to

change the name thereof,' generally," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the bill (No. 1385, Int. No. 182) entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relative to trial jurors in the Municipal Court," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 1105, Int. No. 963) entitled "An act to provide for the construction of extensions of the building in the Central park, in the city of New York, occupied by the Metropolitan Museum of Art, and for the changing, equipping and fitting up of such building and extensions," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 1890, Int. No. 1477) entitled "An act to authorize the city of Little Falls, New York, to enlarge, improve and perfect its supply of pure and wholesome water and to issue bonds to raise money for such purpose," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Little Falls.

The Senate returned the bill (No. 1407, Int. No. 922) entitled "An act to amend chapter seven hundred and twenty-four of the Laws of nineteen hundred and five, entitled 'An act to provide for an additional supply of pure and wholesome water for the city of New York; and for the acquisition of lands or interest therein,

and for the construction of the necessary reservoirs, dams, aqueducts, filters, and other appurtenances for that purpose and for the appointment of a commission with the powers and duties necessary and proper to attain these objects,' and in relation to clerks, stenographers, surveyors and other employees to commissioners," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 2124, Int. No. 1496) entitled "An act to amend chapter two hundred and ninety-four of the Laws of eighteen hundred and sixty-nine, entitled 'An act to incorporate the fire department of the city of Binghamton,' relative to appointment of officers and salaries of treasurer and clerk," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Binghamton.

The Senate returned the bill (No. 1941, Int. No. 1489) entitled "An act to amend chapter five hundred and seventy-nine of the Laws of nineteen hundred and three, entitled 'An act to enable the city of Yonkers to erect a city hall and purchase the necessary land therefor,' and to provide for the issue of bonds for the payment therefor," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Yonkers.

The Senate returned the bill (No. 1843, Int. No. 1442) entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul a certain assessment affecting the property of the Evangelical Lutheran Church of the Atonement in the borough of Manhattan," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 2176, Int. No. 1374) entitled "An act to amend the Greater New York charter, in relation to

the health department pension fund," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 1613, Int. No. 1303) entitled "An act to amend chapter three hundred and twelve of the Laws of eighteen hundred and ninety-eight, entitled 'An act increasing the jurisdiction of the City Court of Albany, and relative to a jury list in said court, and regulating the practice therein,' in relation to costs in said court," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Albany.

The Senate returned the bill (No. 2120, Int. No. 1299) entitled "An act to amend chapter five hundred and thirty-one of the Laws of nineteen hundred, entitled 'An act to provide for a police pension fund for the police force of the city of Yonkers,' " with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Yonkers.

The Senate returned the bill (No. 822, Int. No. 757) entitled "An act to amend the Greater New York charter, relating to the uniformed force of the fire department," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 1791, Int. No. 224) entitled "An act to amend the Greater New York charter, relative to powers and duties of borough presidents," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 922, Int. No. 840) entitled "An act to amend the Greater New York charter, in relation to the dedication of certain lands for markets," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 2051, Int. No. 813) entitled "An act to amend chapter two hundred and forty-nine of the Laws of nineteen hundred, entitled 'An act to change the name of the Justices' Court of the City of Troy to the "City Court of Troy," to prescribe the manner of the appointment of the clerk thereof, and of marshals and attendants upon said court, to increase the jurisdiction thereof, to abolish the office of constable in the city of Troy, and to regulate the practice in said court,' generally," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Troy.

The Senate returned the bill (No. 1127, Int. No. 11) entitled "An act to amend the Greater New York charter, in relation to pensions to dependent parents of members of the police force," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 1400, Int. No. 134) entitled "An act to provide that assessments due and payable after January first, nineteen hundred and seven, pursuant to chapter two hundred and forty-four of the Laws of eighteen hundred and seventy-eight and the acts amendatory thereof, for laying out and improving Prospect park in the city of Brooklyn, shall be paid by the city of New York, and providing for refunding of any such assessments heretofore paid," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 1130, Int. No. 367) entitled "An act to amend the Greater New York charter, relative to the acquirement and operation of ferries and the acquirement of property therefor," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 1931, Int. No. 447) entitled "An act relating to the removal of patients from hospitals in the city of New York," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 948, Int. No. 641) entitled "An act empowering the comptroller of the city of New York to refund to the Saint Paul's German Evangelical Reformed Church or the trustees thereof, moneys paid as assessment for public improvements upon certain real property belonging to said church in the borough of the Bronx, New York city," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 2041, Int. No. 1173) entitled, "An act to amend chapter seven hundred and forty-seven of the Laws of eighteen hundred and ninety-six, entitled 'An act to revise and consolidate the several acts in relation to the city of Kingston, to revise the charter of said city, and to establish a city court therein and define its jurisdiction and powers,' generally," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Kingston.

The Senate returned the bill (No. 1244, Int. No. 1073) entitled "An act to amend the Military Code, relative to pay and allowances."

Also, the bill (No. 1853, Int. No. 1192) entitled "An act to amend the Military Code, relative to officers allowed to a regiment of coast artillery."

Also, the bill (No. 1515, Int. No. 603) entitled "An act to amend the Transportation Corporations Law, in relation to the corporations for the generation and distribution of music electrically."

Also, the bill (No. 1582, Int. No. 1291) entitled "An act to amend the Forest, Fish and Game Law, in relation to taking certain fish in the waters of Silver lake."

Also, the bill (No. 1017, Int. No. 902) entitled "An act to provide for the taxation for school purposes of the lands owned by the State and situated within the boundaries of school districts in the towns of Hyde Park and Poughkeepsie, Dutchess county, New York."

Also, the bill (No. 2183, Int. No. 1620) entitled "An act to amend the Forest, Fish and Game Law, in relation to fishing in Otsego lake."

Also, the bill (No. 490, Int. No. 477) entitled "An act to establish a ferry from the highway adjacent to the farm of George H. Huber, in the county of Essex, across Lake Champlain."

Also, the bill (No. 384, Int. No. 379) entitled "An act to amend the Real Property Law, relative to discharge of mortgages in counties embraced in cities of the first class."

Also, the bill (No. 553, Int. No. 186) entitled "An act to amend the Forest, Fish and Game Law, in relation to nets in the Hudson and Delaware rivers and adjacent waters."

Also, the bill (No. 528, Int. No. 512) entitled "An act to legalize the act of the board of directors of the Pittstown Insurance Company in borrowing money in the year nineteen hundred and four, and to provide for the payment thereof."

Also, the bill (No. 1642, Int. No. 745) entitled "An act to amend chapter one hundred and ninety-four of the Laws of eighteen hundred and ninety-seven, entitled 'An act creating a commissioner of jurors for each county of the State having a population of more than one hundred and fifty thousand and less than one hundred and ninety thousand, and regulating and prescribing his duties,' relative to clerk hire and drawing of jurors."

Also, the bill (No. 1816, Int. No. 1426) entitled "An act to legalize bonds of the village of Hoosick Falls, to be issued for the purpose of acquiring the water supply system, property, rights and privileges of the Hoosick Falls Water Supply Company, and to renew and repair said system, and to legalize all proceedings of the board of trustees in relation thereto, including the

proposition submitted to the qualified electors of said village at a special election held on the fifteenth day of January, nineteen hundred and seven, and all proceedings of said board of trustees in relation and subsequent thereto, and to provide for the payment of the principal and interest of said bonds."

Also, the bill (No. 2126, Int. No. 1464) entitled "An act to amend chapter six hundred and forty-six of the Laws of nineteen hundred and five, entitled 'An act to provide for the construction and maintenance of a sanitary trunk sewer and a sanitary outlet sewer in the county of Westchester, and to provide means for the payment therefor,' generally."

Also, the bill (No. 2132, Int. No. 1416) entitled "An act to legalize the action of the board of trustees of the village of Green Island, in reducing the width of Centre street between Hudson avenue and George street, and authorizing the execution of releases of said land to the occupants thereof."

Also, the bill (No. 1828, Int. No. 1427) entitled "An act to amend chapter one hundred and seventeen of the Laws of eighteen hundred and eighty-three, entitled 'An act to amend, consolidate and revise the charter of the village of Peekskill, and the several acts amendatory thereof,' relative to village taxes."

Also, the bill (No. 2133, Int. No. 1384), entitled "An act to amend the County Law, in relation to applying to villages the provisions thereof relating to the registration of dogs."

Also, the bill (No. 2131, Int. No. 1505) entitled "An act to provide for the opening and maintenance of inlets from the ocean into Shinnecock bay and into Mecox bay, in the town of Southampton, in the county of Suffolk, and repealing chapter six hundred and twenty-eight of the Laws of eighteen hundred and eighty-seven, chapter two hundred and fifty-seven of the Laws of eighteen hundred and ninety-two and a part of chapter twenty-nine of the Laws of eighteen hundred and seventy-three."

Also, the bill (No. 1618, Int. No. 1308) entitled "An act to amend chapter one hundred and fourteen of the Laws of nineteen hundred and four, entitled 'An act to release to the owners of the fee certain minerals and mining rights acquired by the State by confiscation and by reason of alienage of the former owners thereof, in the county of Putnam,' relative to the release of such minerals and mining rights acquired by the State by purchase."

Also, the bill (No. 1325, Int. No. 1120) entitled "An act to incorporate the Barryville and Shohola Suspension Bridge Company in Sullivan county."

Also, the bill (No. 1397, Int. No. 1157) entitled "An act to amend chapter eight hundred and twenty-three of the Laws of eighteen hundred and ninety-five, entitled 'An act to regulate barbering on Sunday,' in relation to the application of such act to Saratoga Springs."

Also, the bill (No. 1366, Int. No. 1146) entitled "An act empowering union free school district number one of the town of White Plains, New York, to acquire land for the purpose of an athletic field."

Also, the bill (No. 1864, Int. No. 1079) entitled "An act to amend the Labor Law, relative to the issuance of employment certificates for children in factories and mercantile establishments."

Also, the bill (No. 1260, Int. No. 688) entitled "An act to amend the Primary Election Law, relative to the application of its provisions to political parties."

Also, the bill (No. 535, Int. No. 519) entitled "An act to amend the Statutory Construction Law, in relation to registers of counties," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the Assembly bill (No. 839, Senate reprint No. 926, reprint No. 2314, Int. No. 774) entitled "An act to amend chapter two hundred and thirty-three of the Laws of eighteen hundred and eighty-four, entitled 'An act providing for the election and compensation of a coroner in the county of Onondaga, and for post-mortem examinations in coroners' cases in said county,' " with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 221, Int. No. 1058) entitled "An act to provide for supplying the

village of McGrawville with water, to authorize said village to incur indebtedness therefor and to create a board of water commissioners for said village," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the mayor of Hornell, for the purposes of amendment, Assembly bill (No. 1999, Int. No. 1290) entitled "An act to amend chapter two hundred and eighty-eight of the Laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Hornellsville and to change the name thereof,' generally," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the mayor of Hornell.

A communication was received from Hon. Alan C. Fobes, mayor of the city of Syracuse, returning Assembly bill (No. 1039, Int. No. 548) entitled "An act to amend chapter six hundred and eighty-four of the Laws of nineteen hundred and five, entitled 'An act to supplement the provisions of law relating to the department of public works of the city of Syracuse,' in relation to street improvement and publication of notice," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. George B. McClellan, mayor of the city of New York, returning Assembly bill (No. 919, Int. No. 547) entitled "An act to enable the fire commissioner of the city of New York to rehear and determine the charges against William H. Weise, fireman of the first grade, for reinstatement in said department," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. George B. McClellan, mayor of the city of New York, returning Assembly bill (No. 1338, Int. No. 552) entitled "An act authorizing the board

of estimate and apportionment of the city of New York to consider any determination or decision heretofore made by it relative to the proportion of cost and expense to be borne by the said city for the opening of Avenue D from Flatbush avenue to Rogers avenue, in the borough of Brooklyn, city of New York," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. George B. McClellan, mayor of the city of New York, returning Assembly bill (No. 1588, Int. No. 1046) entitled "An act to amend chapter one hundred and thirty-nine of the Laws of eighteen hundred and eighty-two, entitled 'An act to incorporate the Charity Organization Society of the City of New York,'" with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Moreland, the House adjourned.

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## THURSDAY, APRIL 25, 1907.

The House met pursuant to adjournment.

Prayer by Rev. Charles W. Heisler.

On motion of Mr. Moreland, the reading of the journal of yesterday was dispensed with, and the same was approved.

Mr. Speaker presented the Twelfth Annual Report of the American Scenic and Historic Preservation Society, which was laid upon the table and ordered printed.

(See Document No. 55.)

The Senate sent for concurrence the following entitled bills:

"An act to amend the Tax Law, in relation to the payment of interest on refunds of transfer taxes in certain cases" (No. 1190, Rec. No. 311), which was read the first time and referred to the committee on taxation and retrenchment.

"An act to amend section three hundred and twenty-one of article fifteen of the General Tax Law, in relation to the tax on transfers of stock" (No. 1191, Rec. No. 312), which was read the first time and referred to the committee on taxation and retrenchment.

"An act to amend the Forest, Fish and Game Law, relative to the close season for woodcock" (No. 1009, Rec. No. 313), which was read the first time and referred to the committee on fisheries and game.

"An act to amend the Forest, Fish and Game Law, relative to the close season for grouse" (No. 1008, Rec. No. 314), which was read the first time and referred to the committee on fisheries and game.

"An act to amend the Forest, Fish and Game Law, relative to the close season for plover and other birds" (No. 1007, Rec. No. 315), which was read the first time and referred to the committee on fisheries and game.

"An act to amend the Greater New York Charter, in relation to the powers of the board of estimate and apportionment" (No. 1334, Rec. No. 316), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Tax Law, in relation to the exemption of bonds of union free school districts" (No. 1186, Rec. No. 317), which was read the first time and referred to the committee on taxation and retrenchment.

"An act authorizing the board of commissioners of the sinking fund in the city of New York to cancel and annul certain unpaid taxes upon the real estate in said city belonging to the Friendly Aid Society" (No. 1324, Rec. No. 318), which was read the first time and referred to the committee on affairs of cities.

"An act to establish and maintain a water department in and for the city of Cortland" (No. 1304, Rec. No. 319), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Banking Law, in relation to the superintendent taking possession of banks or individual banker's property and giving notice thereof and forbidding subsequent payments

and clearances" (No. 1220, Rec. No. 320), which was read the first time and referred to the committee on banks.

"An act to provide further buildings and other facilities at the New York Agricultural Experiment Station, and making an appropriation therefor" (No. 1333, Rec. No. 321), which was read the first time and referred to the committee on ways and means.

"An act to authorize the building of a dike or dikes for the protection of property adjacent to the Delaware river in the village of Port Jervis, and making an appropriation therefor" (No. 1347, Rec. No. 322), which was read the first time and referred to the committee on ways and means.

"An act to amend the Tax Law, in relation to the recording tax on mortgages" (No. 1331, Rec. No. 323), which was read the first time and referred to the committee on taxation and retrenchment.

By unanimous consent, Mr. Gluck introduced a bill entitled "An act to enable Henry Reiter to practice pharmacy upon certain conditions" (Int. No. 1795), which was read the first time and referred to the committee on public health.

By unanimous consent, Mr. Matthews introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to articles included in inventory but not appraised" (Int. No. 1796), which was read the first time and referred to the committee on codes.

Also, by unanimous consent, "An act to amend the Village Law, in relation to the control of poles and wires in streets" (Int. No. 1797), which was read the first time and referred to the committee on affairs of villages.

By unanimous consent, Mr. Wainwright introduced a bill entitled "An act to amend section six of chapter three hundred and nineteen of the Laws of eighteen hundred and forty-eight, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies,' as amended by chapter six hundred and twenty-three of the Laws of nineteen hundred and three" (Int. No. 1798), which was read the first time and referred to the committee on the judiciary.

By unanimous consent, Mr. Glynn introduced a bill entitled "An act to amend the Penal Code by making a new section to

be known as section five hundred and eighty-five-b, relative to violations of regulations for sale of articles of food" (Int. No. 1799), which was read the first time and referred to the committee on codes.

Also, by unanimous consent, "An act to amend section four hundred and seven of the Penal Code, by adding a new subdivision thereto, to be known as subdivision six, relative to the adulteration of meat foods" (Int. No. 1800), which was read the first time and referred to the committee on codes.

Also, by unanimous consent, "An act to amend section forty-four of chapter six hundred and sixty-one of the Laws of one thousand eight hundred and ninety-three, entitled 'An act in relation to the public health, constituting chapter twenty-five of the general laws,' relative to furnishing samples of foods and drugs for analysis" (Int. No. 1801), which was read the first time and referred to the committee on public health.

By unanimous consent, Mr. Baldwin introduced a bill entitled "An act to amend chapter twenty-six of the Laws of eighteen hundred and eighty-five, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,' relative to city and ward boundaries" (Int. No. 1802), which was read the first time.

On motion of Mr. Baldwin, and by unanimous consent, said bill was read the second time and ordered to third reading and referred to the committee on affairs of cities.

By unanimous consent, Mr. Hamn introduced a bill entitled "An act to amend chapter three hundred and sixty of the Laws of eighteen hundred and ninety-seven, entitled 'An act to incorporate the city of Geneva,' in relation to bonds and taxation for extraordinary expenditures" (Int. No. 1803), which was read the first time and referred to the committee on affairs of cities.

Also, by unanimous consent, "An act to amend chapter six hundred and sixty-six of the Laws of eighteen hundred and ninety-three, entitled 'An act to revise, amend and consolidate the several acts relating to the village of Canandaigua, and to repeal certain acts and parts of acts,' and the acts amendatory thereof, in relation to payment of village accounts, powers and duties of

the board of street and sewer commissioners, and the village trustees, in relation to care and improvement of pier and basin " (Int. No. 1804), which was read the first time and referred to the committee on affairs of villages.

By unanimous consent, Mr. Lausing introduced a bill entitled "An act to amend chapter one hundred and forty-six of the Laws of eighteen hundred and fifty-six, entitled 'An act authorizing the construction of a bridge across the Hudson river at Albany,' and chapter seven hundred and seventy-nine of the Laws of eighteen hundred and sixty-nine, entitled 'An act to amend the charter of the Hudson River Bridge Company,' in relation to tolls charged and collected for the use of such bridges " (Int. No. 1805), which was read the first time.

On motion of Mr. Lansing, and by unanimous consent, said bill was read the second time and ordered to third reading and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Dowling introduced a bill entitled "An act to amend the Greater New York charter, in relation to establishing certain claims arising from the grading of streets " (Int. No. 1806), which was read the first time and referred to the committee on affairs of cities.

Also, by unanimous consent, "An act to amend the Greater New York charter, relative to age at which policemen entitled to pension " (Int. No. 1807), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Hamm introduced a bill entitled "An act to amend chapter four hundred and sixty-nine of the Laws of nineteen hundred and six, entitled 'An act to provide for issuing of bonds of the State for the improvement of highways, and making appropriation therefor,' generally " (Int. No. 1808), which was read the first time and referred to the committee on ways and means.

By unanimous consent, Mr. Croak introduced a bill entitled "An act to amend the Code of Civil Procedure, relative to the compensation of deputy sheriffs and constables attending courts " (Int. No. 1809), which was read the first time and referred to the committee on codes.

By unanimous consent, Mr. Prentice introduced a bill entitled

"An act to amend the Primary Election Law, relative to annual primary day" (Int. No. 1810), which was read the first time and referred to the committee on the judiciary.

By unanimous consent, Mr. Lee introduced a bill entitled "An act to authorize the commissioners of the sinking fund of the city of New York to refund certain moneys paid for taxes for the years nineteen hundred and one, nineteen hundred and two and nineteen hundred and three, affecting property situate in the borough of Brooklyn, in the city of New York, now belonging to and upon which is erected the church edifice of the Fourth Unitarian Congregational Church of Brooklyn" (Int. No. 1811), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Schmidt introduced a bill entitled "An act to require street railway companies to equip their cars with lifting jacks and other apparatus" (Int. No. 1812), which was read the first time and referred to the committee on railroads.

Also, by unanimous consent, "An act to require street railway companies to equip their cars with life saving fenders" (Int. No. 1813), which was read the first time and referred to the committee on railroads.

By unanimous consent, the Committee on Electricity, Gas and Water Supply introduced a bill entitled "An act fixing standards of purity, illuminating power and pressure of gas in cities of the second class" (Int. No. 1814), which was read the first time and referred to the committee on electricity, gas and water supply.

By unanimous consent, the following committee reports were received:

Mr. Moreland, from the committee on ways and means, to which was referred Assembly bill introduced by Mr. Wood (No. 1444, Int. No. 1199), entitled "An act to provide for the construction of a dam and reservoir on the Indian river in Lewis county, and making an appropriation therefor."

Also, Assembly bill introduced by Mr. Moreland (No. 2322, Int. No. 1678), entitled "An act to amend the Executive Law, relative to the appointment of experts and providing for their compensation."

Also, Assembly bill introduced by Mr. Moreland (No. 2148,

Int. No. 1589), entitled "An act to provide for the selection of a site for a State hospital for the insane in the south-eastern part of the State, in the vicinity of the city of New York, and for securing contracts for the sale to the State of the lands so selected."

Also, Assembly bill introduced by Mr. Matthews (No. 477, Int. No. 464), entitled "An act to release to Sophie Demers, widow of Joseph Demers, all the right, title and interest of the people of the State of New York in and to certain real estate situated in the town of Altamont, county of Franklin, and State of New York, acquired by escheat or otherwise, on the death of said Joseph Demers."

Also, Assembly bill introduced by Mr. Moreland (No. 2372, Int. No. 1710), entitled "An act to amend chapter seven hundred and eighteen of the Laws of nineteen hundred and four, entitled 'An act authorizing the selection of lands as a site for the New York State Training School for Boys, and establishing the said school,' as amended by chapter one hundred and thirty-three of the Laws of nineteen hundred and five, and by chapter six hundred and seventeen of the Laws of nineteen hundred and six, in relation to the selection of lands and the time of making report."

Also, Assembly bill introduced by Mr. Blue (No. 95, Int. No. 95), entitled "An act making an appropriation to the Central New York Institution for Deaf Mutes, at Rome, to enable it to extinguish its debt incurred for the support and education of its deaf and dumb pupils and for the paving of the street fronting its property."

Also, Assembly bill introduced by Mr. Hooper (No. 1350, Int. No. 1130) entitled "An act to provide for the establishment and maintenance of a herd of bison on State lands, within the Adirondack forest reserve, by the State of New York."

Also, Assembly bill introduced by Mr. Patton (No. 2161, Int. No. 1603), entitled "An act to amend chapter two hundred and thirty-eight of the Laws of eighteen hundred and seventy-one, entitled 'An act to provide for the payment of the crier and attendants of the Court of Appeals,' as amended by chapter five hundred and twenty-seven of the Laws of eighteen hundred and eighty-nine."

Also, Assembly bill introduced by Mr. Patton (No. 1326, Int.

No. 1121), entitled "An act to amend chapter four hundred and sixty-six of the Laws of nineteen hundred and one, entitled 'An act to provide for the reimbursement of the expenses and disbursements paid and incurred by the several justices of the Supreme Court, who are designated as justices of the Appellate Division of that court,' by including compensation to trial justices relative to the payment of such expenses."

Also, Assembly bill introduced by Mr. Wainwright (No. 2294, Int. No. 1669), entitled "An act to amend the State Charities Law, in relation to the number of members of the State Board of Charities."

Also, Assembly bill introduced by Mr. Wainwright (No. 1668, Int. No. 1336), entitled "An act making an appropriation to aid in the purchase of the site of the birthplace of the State of New York."

Also, Assembly bill introduced by Mr. Apgar (No. 2343, Int. No. 1702), entitled "An act to provide for acquiring land on Verplanck's Point in Westchester county, for a Hudson-Fulton Memorial Park, and making an appropriation therefor."

Also, Assembly bill introduced by Mr. Apgar (No. 396, Int. No. 389), entitled "An act to release to Giuseppe Barese all the right, title and interest of the people of the State of New York in and to certain real estate situate in the village of Ossining, county of Westchester and State of New York."

Also, Assembly bill introduced by Mr. Rogers (No. 2423, Int. No. 1729), entitled "An act to provide for refunding certain taxes erroneously paid into the treasury of the State by certain foreign life insurance companies domiciled in the State of Connecticut," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Moreland, from the committee on ways and means, to which was recommitted Assembly bill introduced by Mr. Dudley (No. 2146, Int. No. 1410), entitled "An act amending section six of chapter three hundred and six of the Laws of eighteen hundred and ninety-three, entitled 'An act to establish a State prison for women,' relative to salaries of guards and assistant matrons."

Also, Assembly bill introduced by Mr. Lewis (No. 2250, Int. No. 798), entitled "An act to provide for the construction of a stone or concrete retaining wall on the northerly side of Oneida creek in the village of Oneida Castle, and making an appropriation therefor."

Also, Assembly bill introduced by Mr. G. H. Whitney (No. 1290, Int. No. 613), entitled "An act making an appropriation for the deepening, cleaning and repairing the outlet of Round lake, Saratoga county, for the better preservation of the public health, and to prevent its waters from becoming contaminated and unhealthy."

Also, Assembly bill introduced by Mr. Hubbs (No. 2252, Int. No. 1118), entitled "An act to provide for repairing the docks owned by the State at Babylon and Fire Island, and making an appropriation therefor."

Also, Assembly bill introduced by Mr. Averill (No. 2099, Int. No. 865), entitled "An act to amend the Insanity Law, in relation to salaries of certain officers and employees of State hospitals," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills ordered placed on the order of second reading.

Mr. Moreland, from the committee on ways and means, to which was recommitted Assembly bill introduced by Mr. Cunningham (No. 2276, Int. No. 1344), entitled "An act to amend chapter six hundred and eighty-four of the Laws of nineteen hundred and six, in relation to the compensation of officers and employees of the State reformatories," retaining its place on the order of second reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of second reading.

Mr. Moreland, from the committee on ways and means, to which was referred Assembly bill introduced by Mr. Hubbs (No. 2348, Int. No. 1700), entitled "An act authorizing the Commissioners of the Land Office to convey a tract of land situated at Kings Park in the town of Smithtown, Suffolk county, and forming part of the lands of the Kings Park State Hospital, in exchange for certain other land situated at Kings Park, in the town of Smithtown, Suffolk county, for the use of said Kings

Park State Hospital," retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. Moreland, from the committee on ways and means, to which was referred Assembly bill (No. 468, Int. No. 1216) introduced by Mr. Dominy, entitled "An act to amend the Insanity Law, relative to salaries of certain employees in hospitals for the criminal insane at Dannemora and Matteawan," reported in favor of the passage of the same, with the following amendment:

On page 3, line 26, strike out the word "years" and insert in place thereof the words "six months".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Moreland, from the committee on ways and means, to which was referred Senate bill introduced by Mr. Armstrong (No. 1257, Rec. No. 270), entitled "An act to amend the Insanity Law, relative to the erection, alteration, repairs and improvements of State hospital buildings," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mead, from the committee on the judiciary, to which was referred Assembly bill introduced by Mr. Prentice (No. 2476, Int. No. 1762), entitled "An act to amend the Primary Election Law, in relation to correcting the enrollment books in cities containing a population of one million or over," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mead, from the committee on the judiciary, to which was referred Senate bill introduced by Mr. Grattan (No. 875, Rec. No. 291), entitled "An act to repeal section four of chapter four hundred and ninety of the Laws of eighteen hundred and eighty-eight, entitled 'An act for the incorporation of societies for the prevention of cruelty to animals and to amend sections six hundred and fifty-six and six hundred and sixty-eight of the Penal Code, relating to cruelty to animals,'" reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Merritt, from the committee on railroads, to which was

referred Assembly bill introduced by Mr. Gluck (No. 453, Int. No. 444), entitled "An act to compel elevated railroad corporations in the borough of Brooklyn to provide for the comfort of passengers."

Also, Assembly bill introduced by Mr. Hackett (No. 209, Int. No. 209), entitled "An act regulating transfers on street railroads."

Also, Assembly bill introduced by Mr. Reece (No. 503, Int. No. 490), entitled "An act to require the construction of an elevated railroad station between One Hundred and Twentieth street and One Hundred and Twenty-first street on Eighth avenue, in the city of New York."

Also, Assembly bill introduced by Mr. Yale (No. 2331, Int. No. 1688), entitled "An act to extend the time within which the Danbury and Harlem Traction Company shall finish its road and put it in operation beyond its present construction and operation."

Also, Assembly bill introduced by Mr. Sheridan (No. 2187, Int. No. 1624), entitled "An act to amend section one hundred and three of the Railroad Law with respect to the abandonment of part of route, temporary removal of rails, temporary discontinuance of operation and relocation of railroads and routes in cities of the first class."

Also, Assembly bill introduced by Mr. Schoeneck (No. 2237, Int. No. 1646), entitled "An act to extend the time for the Syracuse, Skaneateles and Moravia Railroad Company to begin the construction of its road and expend thereon ten per centum of its capital, and finish and put the same in operation."

Also, Assembly bill introduced by Mr. Hamn (No. 2408, Int. No. 1714), entitled "An act to legalize and confirm the certificate of incorporation and the incorporation of the Corning, Keuka Lake and Ontario Railway Company and the proceedings taken and had under or in pursuance of said certificate," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Merritt, from the committee on railroads, to which was recommitted Assembly bill introduced by Mr. Young (No. 1810, Int. No. 1420), entitled "An act to require the construction of

elevated railroad stations at the intersection of Eighty-seventh street and Columbus avenue in the city of New York," retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. Merritt, from the committee on railroads, to which was referred Assembly bill (No. 1072, Int. No. 939) introduced by Mr. Hoey, entitled "An act to amend the Railroad Law, in relation to the protection of street railroad employees in cities of the first class," reported in favor of the passage of the same, with the following amendments:

Page 1, line 8, strike out "cities of the first class" and insert "the county of New York".

Page 2, line 21, strike out "a city of the first class" and insert "the county of New York".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Merritt, from the committee on railroads, to which was referred Senate bill introduced by Mr. Harte (No. 1297, Rec. No. 568), entitled "An act to regulate car service on street surface railroads in the county and borough of Queens," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred Assembly bill introduced by Mr. Hammond (No. 2431, Int. No. 1737), entitled "An act to amend the Penal Code, in relation to enticing inmates from certain State institutions."

Also, Assembly bill introduced by Mr. Moreland (No. 2321, Int. No. 1677), entitled "An act to amend the Code of Criminal Procedure, in relation to testimony as to the sanity or insanity of defendant," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred Assembly bill (No. 2344, Int. No. 1696) introduced by Mr. Fowler, entitled "An act to amend the Code of Civil Procedure, in relation to the Court of Claims," reported in favor of the passage of the same, with the following amendment:

On page 2, line 20, after the word "effect" insert "September first, nineteen hundred and seven".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred Assembly bill (No. 2232, Int. No. 1641) introduced by Mr. Rogers, entitled "An act to amend the Penal Code in relation to the privileges of witnesses in investigations and proceedings relating to rebates and allowances by life insurance corporations," reported in favor of the passage of the same, with the following amendment:

Page 10, line 9, after the word "effect" strike out "immediately" and insert "September first, nineteen hundred and seven".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was re-committed Assembly bill (No. 2279, Int. No. 1054) introduced by Mr. Wells, entitled "An act to amend the Greater New York charter and the Municipal Court Act of the city of New York by providing for a reorganization of the Municipal Court of the city of New York and for changes in the constitution and in the powers of said court and in the practice therein, and to regulate the salaries of the justices thereof," reported in favor of the passage of the same, with the following amendments:

Page 1, line 5, of title, after "therein;" insert "and assistant clerks".

Page 5, line 11, strike out "sixth" and insert in place thereof "ninth".

Page 5, line 17, strike out "twelve" and insert in place thereof "thirteen".

Page 5, between lines 20 and 21, insert "One additional justice for the sixth district of the borough of Manhattan as hereby constituted".

Page 6, line 6, strike out "fourth" and insert in place thereof "sixth".

Page 6, line 7, strike out "sixth" and insert in place thereof "seventh".

Page 6, line 13, after "justices" insert "as hereby constituted".

Page 7, line 3, place brackets around word "six", and insert after "six" "eight".

Page 7, line 6, place brackets around word "five" after word "five" insert "seven".

Page 7, line 10, place comma after "The Bronx".

Page 7, line 18, strike out "The board of", strike all of line 19, and line 20 to and including "justices."

Page 7, line 25, strike out "salary" and insert in place thereof "salaries", after "justices" insert "clerks, assistant clerks and stenographers".

Page 7, lines 26 and 27 strike out "if any," which may be".

Page 8, line 4, at beginning of line insert "otherwise than by expiration of term", enclose "ensuing" in brackets, after "election" insert "in an odd numbered year happening not less than three months after such vacancy occurs".

Page 8, line 16, strike out "and" and insert in place thereof "or".

Page 11, line 4, at end of line insert "borough on the north by the center line of Fourteenth street, on".

Page 11, line 14, strike out "Eighth" and insert in place thereof "Seventh".

Page 12, beginning with line 3, strike out all down to and including line 8, except "6" on line 3 and insert in place thereof, "the sixth district embraces the territory bounded on the south by the center line of Fifty-ninth street, and by the center line of Ninety-sixth street from Lexington avenue to Fifth avenue; on the west by the center line of Lexington avenue to Fifth avenue from Fifty-ninth street to Ninety-sixth street and the center line of Fifth avenue from Ninety-sixth street to One Hundred and Tenth street; on the north by the center line of One Hundred and Tenth street; on the east by the easterly boundary of said borough including however, all of Blackwell's Island and excluding any portion of Ward's Island."

Page 12, line 24, strike out "and".

Page 12, line 26, strike out "One Hundred and Tenth" and insert in place thereof "Ninety-sixth", and after "street" insert "and its projection through to Central Park to Central Park West,".

Page 12, line 27, strike out "Eighth" and insert in place thereof "Seventh".

Page 13, line 6, after "appointed" insert "at their present salaries" and at end of line insert "in the borough of Manhattan they".

Page 13, line 8, strike out "s" from 3d and 4th words "clerks".

Page 13, line 21, strike out "appoint" and insert in place thereof "designate".

Page 14, line 1, after "designations." insert "The clerk in each district for which there shall, on the first day of January, nineteen hundred and eight, be no clerk, under the provisions hereof, shall be appointed by the justice or justices of the district. The successors of any clerks so appointed, as well as of the clerks in office on the thirty-first day of December, nineteen hundred and seven, shall be appointed in each district by the justice or justices thereof. If the said justice or a majority of said justices fail to agree upon such appointment within thirty days after the vacancy occurs then the justices in the borough containing such district, or a majority of them shall make such appointment. But no clerk shall be appointed in any district so long as there shall be in such district any clerk who shall have held the office of clerk on the thirty-first day of December, nineteen hundred and seven; in any such case a vacancy occurring in the office of the clerk of such district shall be filled by the designation as clerk of said district of one of the other clerks in said district theretofore acting as deputy clerk under the provisions hereof, which designation shall be made by the justices of said district."

Page 14, line 1, after "designations." strike out balance of line and line 2, and including "apportionment".

Page 14, line 4, strike out "and fix the terms of office".

Page 14, line 12, after "capacity" insert "and at their present salaries".

Page 14, strike out all of lines 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, insert in place thereof "appoint two additional clerks and one stenographer who shall hold office and draw salary for the same term and at the same rate enjoyed by the assistant clerks and stenographers in the same borough, such stenographer so appointed shall act as the stenographer of the part of the court where the justice appointing him may sit."

Page 14, line 25, strike out "Each" and insert in place thereof "The", after "justice" insert "or justices or board of justices".

Page 15, line 7, after "districts." strike out balance of line and lines 8, 9 and 10 and insert in place thereof "within the borough in which is located the district for which they shall have been appointed".

Page 15, strike out lines 11, 12, 13, 14, 15.

Page 15, line 18, after "Bronx" insert ",".

Page 15, line 22, strike out "and", insert in place thereof "[or]", underscore "deputy clerk" and after "deputy clerk" insert "and assistant clerk".

Page 15, line 23, after "New York" insert ",".

Page 15, line 27, after first "clerk" insert "," underscore "deputy" and after second "clerk" insert "or assistant clerk".

Page 16, line 6, after "clerks" insert ",", place brackets around word "nor", underscore word "deputy".

Page 16, line 7, underscore word "clerks" and after word "clerks" insert "nor assistant clerks".

Page 16, line 13, underscore "deputy clerk," insert after "deputy clerk" "assistant clerk,".

Page 16, line 20, after first "clerk" insert "," place brackets around word "or", underscore "deputy clerk" and after "deputy clerk" insert "or assistant clerk".

Page 17, line 15, after "The" insert "[said]".

Page 17, line 15, underscore "of the" at end of line, underscore all of line 16 and "one" of line 17, line 17, underscore "assistant clerks,".

Page 17, line 19, make "causes" read "cause", strike out second "the" and insert in place thereof "their".

Page 17, line 24, underscore "and deputy", and line 25, underscore first "clerks".

Page 18, line 3, underscore "deputy clerks".

Page 18, lines 15 and 16, underscore "deputy clerk".

Page 22, line 9, after "from" insert "at least".

Page 24, line 1, insert after "therewith" "and the increase of salary of the justices and the amendments to section one thousand three hundred and fifty-five of the Greater New York charter as contained in section two of this act and the provisions of the last section".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred Senate bill introduced by Mr. Davis (No. 1143, Rec. No. 228), entitled "An act to amend section seven hundred and fifty of the Code of Criminal Procedure of the State of New York, in relation to appeals."

-Also, Senate bill introduced by Mr. Page (No. 592, Rec. No. 239), entitled "An act to amend section three hundred and eighty-four-h of the Penal Code relative to hours of labor to be required of employees of a corporation operating a line of railroad thirty miles in length, or over," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred Senate bill (No. 1904, Rec. No. 204) introduced by Mr. Dunn, entitled "An act to amend section two hundred and twenty-one of the Code of Civil Procedure, relative to the salaries of certain clerks and deputy clerks of the appellate divisions of the third and fourth departments," reported in favor of the passage of the same, with the following amendments:

Page 1, line 6, after the word "the" remove the brackets from clerks and strike out clerk. Page 2, line 1, remove brackets from "said departments" and strike out "the third department", line 2 put [ ] around "two thousand dollars" and strike out rest of lines 2 and 3 except the words "to be".

Page 2, line 26, strike out "the" before "fourth" and insert "each of the third and".

Page 3, line 1, add "s" to "department", line 5, after "dollars" insert "and the presiding justice of the appellate division of the fourth department".

Page 3, line 16, make "deputy clerk" "deputy clerks", line 17, bracket "fourth" and after brackets insert "respective" and add "s" to department. Line 19, add "s" to "deputy clerk". Line 22, bracket "fourth" and after brackets insert "respective" and add "s" to department, line 24, after the second "of" strike out "the" and insert "each of the third and".

Page 4, line 2, after "said" insert "respective" and add "s", strike out lines 8 to 14, inclusive, and in line 15, change "4" to "3". In line 16, after "department" insert "or any attendant of said court."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Prentice, from the committee on general laws, to which was referred Assembly bill introduced by Mr. Sheridan (No. 2188, Int. No. 1625), entitled "An act to amend chapter three hundred and ten of the Laws of eighteen hundred and seventy-nine, entitled 'An act to prevent the sale of land used for cemetery purposes.'"

Also, Assembly bill introduced by Mr. Myron Smith (No. 1183, Int. No. 1024), entitled "An act to amend the Lien Law, relative to liens of manufacturers and throwsters of cotton, woolen and silk goods," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Prentice, from the committee on general laws, to which was referred Senate bill introduced by Mr. Davis (No. 619, Rec.

No. 266), entitled "An act to regulate transfers of goods in bulk," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hammond, from the committee on electricity, gas and water supply, reports by bill entitled "An act fixing standards of purity, illuminating power and pressure of gas in cities of the second class" (Int. No. 1814), which was read the first time and said committee recommends that said bill, when printed, be referred to said committee, which report was agreed to, and said bill ordered printed and referred to said committee.

Mr. Hammond, from the committee on electricity, gas and water supply, to which was recommitted the bill introduced by Mr. Parker (No. 1625, Int. No. 1313), entitled "An act to amend chapter seven hundred and twenty-two of the Laws of eighteen hundred and ninety-four, entitled 'An act to incorporate the Niagara, Lockport and Ontario Power Company,' relative to fencing rights of way," retaining its place on the order of third reading, reported in favor of the passage of the same, with the following amendment:

Page 2, line 11, after the word "shall" insert the words "whenever practicable".

which report was agreed to, and said bill ordered reprinted, as amended, and restored to its place on the order of third reading.

Mr. Hammond, from the committee on electricity, gas and water supply, to which was recommitted Assembly bill introduced by Mr. Yale (No. 655, Int. No. 614), entitled "An act to amend chapter seven hundred and thirty-seven of the Laws of nineteen hundred and five, entitled 'An act to establish a commission of gas and electricity with power to regulate the price of gas and electric light and certain other electric services, and to provide for the control and supervision of gas, electric light and other electric corporations and making an appropriation therefor,' in relation to franchises for competitive gas and electric companies," retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. Hammond, from the committee on electricity, gas and water supply, to which was referred Assembly bill (No. 1438, Int. No. 1193) introduced by Mr. Weimert, entitled "An act to provide for the appointment of policemen for the Niagara, Lockport and Ontario Power Company," reported in favor of the passage of the same, with the following amendment:

Page 1, line 2, strike out the word "county".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Hammond, from the committee on electricity, gas and water supply, to which was referred Assembly bill (No. 1065, Int. No. 932) introduced by Mr. Brooks, entitled "An act to amend chapter four hundred and fifty-nine of the Laws of eighteen hundred and ninety-three, entitled 'An act to incorporate the Economic Power and Construction Company,' generally," reported in favor of the passage of the same, with the following amendments:

On page 3, strike out all of line 15 and in place thereof insert the following:

"§ 2. Such chapter is hereby further amended by adding thereto, after section eleven, a new section to be known as section twelve thereof to read as follows:

"§ 12. This act shall not and does not, nor shall or does any thing herein contained, waive any forfeiture or lapse or loss of the franchise or rights, powers or privileges or any of them of the said incorporated company, by reason of its failure to comply with any of the statutes of the state of New York applicable thereto, but any such forfeiture, lapse or loss shall be and is continued with the same full force and effect as if this act had not been enacted.

"§ 3. This act shall take effect immediately."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Rogers, from the committee on insurance, to which was referred Assembly bill (No. 2284, Int. No. 1658) introduced by Mr. J. A. Foley, entitled "An act to amend the Insurance Law constituting chapter thirty-eight of the general laws, in relation to provisions in contracts or policies of insurance for the appointment of an umpire," reported in favor of the passage of the same, with the following amendment:

On page 2, line 8, after the words "to apply to" insert the words "a justice of".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Rogers, from the committee on insurance, to which was referred Senate bill introduced by Mr. Tully (No. 894, Rec. No. 220), entitled "An act to amend the Insurance Law, in relation to certificates of authority of agents, and the filing of such certificates," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. F. G. Whitney, from the committee on excise, to which was referred Assembly bill (No. 1605, Int. No. 1294) introduced by Mr. C. F. Murphy, entitled "An act to amend 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same, and to provide for local option, constituting chapter twenty-nine of the general laws,'" reported in favor of the passage of the same, with the following amendments:

Page 2, line 5, strike out the words "if in a county containing a city of the first class, with" and insert in the place thereof the words "in the office of".

Page 2, line 6, strike out the words "for such county" and insert in the place thereof the words "of excise, if there be one".

Page 2, line 12, insert after the word "that" the words "there is no material false statement in the application statement for such liquor tax certificate and that".

Page 2, line 12, insert after the word "the" and before the word "tax" the word "liquor".

Page 2, line 14, insert after the word "such" and before the word "tax" the word "liquor".

Page 2, line 16, insert before the word "tax" the word "liquor".

Page 2, line 20, insert after the word "law" the words ", or any act amendatory thereof or supplementary thereto".

Page 2, line 23, insert after the word "allowed" the words "in any action or proceeding brought or instituted under the provisions of said liquor tax law".

Page 3, line 1, insert after the word "state" and before the word "real" the word "unincumbered".

Page 3, line 7, insert after the word "surety" the words "that he is not engaged in the traffic in liquor, nor employed in the conduct of such business".

Page 3, line 8, insert after the word "owns" and before the word "real" the word unincumbered".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Apgar, from the committee on internal affairs, to which was referred Assembly bill introduced by Mr. Surpless (No. 1620, Int. No. 1311), entitled "An act to fix and establish the annual salary of the surrogate of Kings county and repealing section two hundred and twenty-two of chapter six hundred and eighty-six of the Laws of eighteen hundred and ninety-two in so far as it relates to Kings county."

Also, Assembly bill introduced by Mr. Matthews (No. 2286, Int. No. 1660), entitled "An act in relation to towns, which in the year nineteen hundred and six, failed to assess poll taxes as required by section fifty-three of the Highway Law."

Also, Assembly bill introduced by Mr. Draper (No. 2424, Int. No. 1730), entitled "An act to amend the County Law, relative to the compensation of supervisors in Niagara county," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Miller, from the committee on commerce and navigation, to which was referred Senate bill introduced by Mr. Wemple (No. 611, Rec. No. 161), entitled "An act to amend chapter sixty-four of the Laws of eighteen hundred and fifty-four, entitled 'An act to incorporate the Saratoga Lake Bridge Company,'" reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Cunningham, from the committee on public education, to which was referred Senate bill introduced by Mr. Burr (No. 955, Rec. No. 243), entitled "An act to amend the Consolidated School Law, in relation to the payment by the county of school taxes returned as unpaid in the county of Suffolk," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Wells, from the committee on military affairs, to which

was referred Assembly bill introduced by Mr. Wells (No. 1607, Int. No. 1296), entitled "An act to amend the Military Code, relative to the composition and strength of the national guard," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Apgar (No. 2432, Int. No. 1738), entitled "An act to validate a special election of the village of Briareliff Manor, authorizing the borrowing of money, issue of bonds, and acquisition and management of certain property."

Also, the bill introduced by Mr. Harper (No. 2328, Int. No. 1685), entitled "An act to authorize the board of trustees of the village of Waterloo, in the county of Seneca, to issue bonds for the payment of the existing indebtedness of said village."

Also, the bill introduced by Mr. Miller (No. 2362, Int. No. 1476), entitled "An act to empower the local authorities of the town of Hempstead in the county of Nassau to pay certain accounts."

Also, the bill introduced by Mr. Gunderman (No. 2334, Int. No. 1691), entitled "An act to provide a fund for bridges and other permanent street improvements in the city of Ithaca."

Also, the bill introduced by Mr. Hart (No. 2427, Int. No. 1733), entitled "An act to amend chapter one hundred and eighty-eight of the Laws of nineteen hundred and six, entitled 'An act to authorize the city of Utica to construct a general system of storm water drainage, and to borrow money to pay for the same,' relative to the rate of interest to be paid on bonds."

Also, the bill introduced by Mr. Staley (No. 2394, Int. No. 1186), entitled "An act to provide for the repaving or resurfacing of East Main street and Market street, in the city of Amsterdam, and to provide for meeting the expense thereof," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Hart (No. 2428, Int. No. 1734), entitled "An act to amend chapter one hundred and thirty-one of the Laws of nineteen hundred and seven, entitled 'An act to

authorize the city of Utica to borrow money and issue bonds for the purpose of completing the changing of the channel of the Mohawk river between said city and the town of Deerfield, and to authorize the Superintendent of Public Works to accept said new channel,' relative to the rate of interest to be paid on bonds," reported the same with the following recommendations:

On page 1, line 1, after " and " insert " thirty-".

On page 1, line 5, after " Deerfield " insert comma.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Gunderman (No. 2332, Int. No. 1689), entitled "An act to amend chapter three hundred and fifty-eight of the Laws of eighteen hundred and ninety-three, entitled 'An act to provide for the support of the poor in the city of Ithaca,' relative to providing funds for the board of health," reported the same with the following recommendations:

On page 1, line 5, after " three " insert " thereof."

On page 2, line 10, strike out " amount " and insert in place thereof " account ".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Gunderman (No. 2333, Int. No. 1690), entitled "An act to amend chapter two hundred and twelve of the Laws of eighteen hundred and eighty-eight, entitled 'An act to incorporate the city of Ithaca,' generally," reported the same with the following recommendations:

On page 1, line 3, after " Ithaca," insert " as amended by chapter four hundred and twenty-nine of the laws of eighteen hundred and ninety-two,".

On page 1, line 6, after " peace " insert comma.

On page 1, line 7, after " city " strike out comma and insert semicolon.

On page 1, line 9, strike out comma and insert semicolon.

On page 2, line 2, after " poor " insert comma.

On page 2, line 4, after second " constables " strike out comma.

On page 2, line 6, after " ward " and within the brackets insert comma.

On page 2, line 16, strike out "officer" and insert in place thereof "officers".

On page 2, line 20, after first "of" restore the words "all officers".

On page 2, line 25, after "chapter" insert "as amended by chapter three hundred and forty-six of the laws of eighteen hundred and ninety-three,".

On page 3, line 1, strike out "Water supply.—"

On page 4, line 15, after "fire" insert comma.

On page 4, line 17, after "dangerous" strike out comma.

On page 4, line 26, after "occupant" insert comma, italicize "and expense" insert after "as" "[hereinafter]", after "provided" insert comma.

On page 5, line 1, italicize all of line and on same page italicize in line 2 "dred and eighty-eight and acts amendatory thereof,".

On page 5, line 3, after "purpose" add "s".

On page 5, line 14, after "allowed" insert comma.

On page 6, line 3, italicize "or property".

On page 6, line 7, strike out "or property".

On page 6, line 8, after "default" within the bracket insert comma.

Same page and line, after second bracket insert "or property".

On page 6, line 10, after "for" insert ",".

On page 6, line 24, after "alter" insert comma.

On page 7, line 1, after "respectively" strike out comma and insert comma after "upon" and after "for".

On page 7, line 14, strike out period and insert "[,]."

On page 7, line 15, strike out "A" in "All" and insert in place thereof "[a] A".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Young (No. 1881, Int. No. 1468), entitled "An act to amend the Code of Civil Procedure, in relation to the discharge of a mechanic's lien," reported the same with the following recommendations:

On page 1, line 3, strike out "Discharge of" and insert in place thereof "Vacating of a".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Prentice, (No. 830, Int.

No. 765), entitled "An act to amend the Penal Code by adding thereto a new section to be known as section four hundred and eleven-a, relative to the destruction of dangerous weapons," reported the same with the following recommendations:

On page 1, in title, strike out "by adding thereto a new section to be known as section four hundred and eleven-a," and insert in place thereof comma.

On page 1, line 1, after "adding" insert "thereto".

On page 1, line 2, strike out "thereto" and insert in place thereof comma. Same page and line, strike out "thereof," and insert in place thereof "to be section four hundred and eleven-a thereof, to read".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Green (No. 2447, Int No. 971), entitled "An act to amend chapter seven hundred and six of the Laws of nineteen hundred and one, relative to additional clerks and assistants in the office of the register of the county of Kings, and fixing the compensation thereof," reported the same with the following recommendations:

On page 1, in second line of title, after "one," insert "entitled 'An act to make the office of register of the county of Kings a salaried office and regulating the management of said office,'".

On page 1, in last line of title, strike out period and insert in place thereof "and the time applicable."

On page 2, line 5, after "ister" insert comma. Same page and line, "dollars;" not in italics.

On page 2, line 9, after "clerk" insert comma.

On page 2, line 13, after "clerk" insert comma.

On page 2, line 15, after second "dollars" insert semicolon inside of bracket.

On page 2, line 19, after "copyists" insert comma.

On page 2, line 20, strike out "three ab-".

On page 2, line 21, strike out "stract clerks [fifteen] eighteen hundred dollars each;".

On page 2, line 22, "one map" in italics. Same page and line, after "each;" insert "three abstract clerks [fifteen] eighteen hundred dollars each;".

On page 2, line 23, italicize "clerk" and draughtsman, fifteen hundred dollars;".

On page 3, line 1, after "secretary" insert comma.

On page 3, line 6, after "each" strike out semicolon and insert in place thereof period.

On page 3, line 7, capitalize "t" in "the".

On page 3, line 11, after "mortgages" strike out comma.

On page 3, line 13, italicize "shall".

On page 3, line 23, strike out "3" and insert in place thereof "2."

On page 3, line 25, strike out "4" and insert in place thereof "3".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Phillips (No. 1158, Int. No. 1001), entitled "An act to amend the Penal Code in relation to adultery," reported the same with the following recommendations:

On page 1, in title, after "code" insert comma.

On page 1, line 2, after "therein" insert "after section two hundred and eighty, two new sections to be".

Same page and line, after "section" insert "s".

Same page and line, after "eighty-a" strike out comma and insert in place thereof "and two hundred and eighty-b thereof,".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Glore (No. 2363, Int. No. 1471), entitled "An act to amend chapter seven hundred and six of the Laws of nineteen hundred and one, relative to additional clerks and assistants in the office of the register of the county of Kings, and fixing the compensation thereof," reported the same with the following recommendations:

On page 1, in second line of title, after "one," insert "entitled 'An act to make the office of register of the county of Kings a salaried office and regulating the management of said office,'".

Same page and line, strike out "additional" and "and as-".

On page 1, strike out third line of title.

On page 1, in last line of title, strike out period and insert in place thereof "and the time applicable."

On page 2, line 25, "each;" not in italics.

On page 3, line 8, italicize "shall".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Whitley (No. 2463, Int. No. 1465), entitled "An act to amend the Insurance Law, in relation to discriminations in life and endowment insurance premiums, and to the privileges and protections to be accorded witnesses in all actions or proceedings involving such discriminations," reported the same with the following recommendations:

On page 2, line 4, after "dividend" insert "s".

On page 2, line 7, after "year" insert ", higher in amount than the premium for term insurance for one year".

On page 2, line 18, after "allow" and "offer" insert commas.

Same page and line, after "pay" strike out comma.

On page 2, line 19, after "insure" strike out comma.

On page 2, line 20, after "whatever" insert comma.

On page 3, line 23, after "year" insert ", higher in amount than the premium for term insurance for one year".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Stratton (No. 2397, Int. No. 259), entitled "An act to amend the Forest, Fish and Game Law, in relation to catching suckers with nets in the Unadilla river, in Otsego and Chenango counties," reported the same with the following recommendations:

On page 1, in title, after "suckers" insert ", bullheads and eels".

On page 1, line 5, after "Chenango" insert "[county]" and italicize "and Otsego counties".

On page 1, line 7, italicize "and in the Unadilla river in Chenango".

On page 1, italicize line 8 and the words "of New Berlin" on line 9.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Lansing (No. 2106, Int. No.

1581), entitled "An act to amend an act, entitled 'An act authorizing the construction of a bridge across the Hudson river at Albany,' being chapter one hundred and forty-six of the Laws of eighteen hundred and fifty-six," reported the same with the following recommendations:

On page 1, in first line of title, strike out "an act," and insert in place thereof "chapter one hundred and forty-six of the laws of eighteen hundred and fifty-six,".

On page 1, in title, after "Albany" strike out comma and insert in place thereof period, and after "Albany," strike out balance of title.

On page 1, line 2, after "fifty-six" insert "entitled 'An act authorizing the construction of a bridge across the Hudson river at Albany,'".

On page 1, line 3, strike out "so as".

On page 1, line 8, after "approval" insert "[to]" and italicize "of,".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred the bill introduced by Mr. Wainwright (No. 2264, Int. No. 1425), entitled "An act to provide for laying out, constructing and maintaining a public park in the town of Rye, county of Westchester, and for the acquisition of lands and property for that purpose by the said town of Rye, and to provide for the payment thereof," reported the same with the following recommendations:

On page 2, line 12, strike out "such purchase" and insert in place thereof "acquiring such lands".

On page 2, line 15, strike out "relating to ballots".

On page 2, strike out line 23.

On page 2, line 24, strike out "this act" and insert in place thereof "as above provided".

On page 3, line 6, strike out "commissioner" and insert in place thereof "commissioners".

On page 3, line 8, after "commissioner" insert "s".

On page 3, line 15, after "commissioner" insert "s".

On page 3, line 17, after "commissioner" insert "s".

On page 3, line 18, after "commissioner" insert "s".

On page 4, line 5, strike out "land" and insert in place thereof "lands".

On page 4, line 7, strike out "s" in "corporations".

On page 4, line 20, after "order" strike out period and insert in place thereof "provided, however, that if said damages, interest, costs, allowances and charges exceed two and one-half per centum of the total assessed valuation of the real and personal property of the town of Rye, as appears by the assessment-roll of said town for the preceding year, then the proceeding for condemnation of said lands shall be discontinued."

On page 6, strike out line 19.

On page 6, line 24, strike out "either upon the delivery of deeds, or".

On page 6, line 26, strike out "said".

On page 7, line 1, strike out "chapter twenty-three of the code of civil procedure, known as".

On page 7, line 2, after "law" insert period and strike out balance of said line.

On page 8, line 3, strike out "or permit to be used".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hastings, from the committee on revision, to which was referred Senate bill (No. 1149, Assembly reprint 2393, Rec. No. 222), entitled "An act to amend the Greater New York charter by providing for additional city magistrates, and for additional police clerks, assistant clerks, stenographers and interpreters for city magistrates courts, in the second division of the city of New York," reported the same, with the following recommendations:

On page 1, line 1, strike out "thirteen hundred and ninety".

On page 1, strike out lines 5, 6 and 7, and insert in place thereof "of the Greater New York charter, as re-enacted by chapter four hundred and sixty-six of the laws of nineteen hundred and one".

On page 2, strike out lines 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14.

On page 2, line 23, after "trates" insert comma.

On page 3, line 1, italicize "Terms and appointments of magistrates".

On page 3, line 4, after "terms" insert comma.

On page 3, line 5, after "York" insert comma.

On page 3, line 19, after "division" insert comma inside of bracket.

On page 3, line 25, after "division]" insert comma.

On page 4, line 2, after "certificates," insert comma.

On page 4, line 13, after "lyn" italicize comma.

On page 4, line 21, after "cessors" insert "who".

On page 4, line 23, after "January" italicize comma.

On page 4, line 25, strike out "s" in "terms".

On page 5, line 2, after second "elected" insert comma.

On page 5, line 5, after "of" insert "a".

Same page and line, after "cause" strike out comma.

On page 6, lines 5 and 6, strike out "in the boroughs of Queens and Richmond to be held".

On page 6, line 10, after "Queens" insert comma.

On page 6, line 13, after "seven" insert comma.

On page 6, line 15, after "Queens" insert comma.

On page 7, line 1, after "vacancy" insert comma.

On page 7, line 2, strike out first "an".

On page 7, line 4, after "election" insert comma.

On page 7, line 7, after "act" insert comma.

On page 7, line 20, after "and" insert comma.

On page 8, line 8, after "magistrate" insert comma inside of bracket.

On page 8, line 12, after "and" insert comma.

On page 9, line 3, strike out first "the" and insert in place thereof "said".

On page 9, line 8, after "1398." insert "Maintenance of order in courts."

On page 9, line 11, after first "the" insert "[officers]" and italicize "offices".

On page 9, line 19, after "think" insert "such".

On page 9, lines 22 and 23, italicize "and shall not close before four o'clock in the afternoon,".

On page 10, line 1, after "Brooklyn" insert "[shall not be closed before four o'clock in the afternoon]".

On page 10, line 8, italicize second "h" in "eighth".

On page 10, line 10, after "day" italicize comma.

On page 10, line 11, after "of" insert "the".

On page 10, line 15, after "and" insert "of".

On page 10, strike out lines 22 to 26, inclusive.

On page 11, strike out lines 1 and 2.

On page 11, lines 3 and 4, italicize "Clerks and employees in second division.—The board of city magistrates in the second division".

On page 11, line 7, after "appoint" insert "[one]".

Same page and line, italicize "s" in first "clerks".

Same page and line, after "and" insert "[two]".

On page 11, line 8, after "and" insert "[a]".

Same page and line, italicize second "s" in "stenographers".

On page 11, line 12, after "appointment" insert "s".

On page 11, line 18, after "certificate" insert "s".

On page 12, after line 5, insert new section, as follows:  
"§ 2. The board of estimate and apportionment shall meet and make provision for the salaries and expenses incident to the creation of any additional city magistrates' courts and the amount found necessary shall be added to and included in the final estimate for the year nineteen hundred and seven and collected by tax from the estates, real and personal, subject to taxation in the city of New York."

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. West, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to provide for the repaving or resurfacing of East Main street and Market street, in the city of Amsterdam, and to provide for meeting the expense thereof." (No. 2394, Int. No. 1186.)

"An act to empower the local authorities of the town of Hempstead in the county of Nassau to pay certain accounts." (No. 2362, Int. No. 1476.)

"An act to provide a fund for bridges and other permanent street improvements in the city of Ithaca." (No. 2334, Int. No. 1691.)

"An act to validate a special election of the village of Briarcliff Manor, authorizing the borrowing of money, issue of bonds, and acquisition and management of certain property." (No. 2432, Int. No. 1138.)

"An act to amend chapter one hundred and eighty-eight of the Laws of nineteen hundred and six, entitled 'An act to authorize the city of Utica to construct a general system of storm water drainage, and to borrow money to pay for the same,' " relative to the rate of interest to be paid on bonds. (No. 2427, Int. No. 1733.)

"An act to authorize the board of trustees of the village of Waterloo in the county of Seneca, to issue bonds for the payment of the existing indebtedness of said village." (No. 2328, Int. No. 1685.)

“An act to amend section twelve hundred and forty-two of the Code of Civil Procedure, relating to the sale of real property.” (No. 2353, Int. No. 221.)

“An act making an appropriation for the national encampment of the Grand Army of the Republic, to be held in the village of Saratoga Springs, in the month of September, nineteen hundred and seven.” (No. 2112, Int. No. 1510.)

“An act to amend section three of chapter two hundred and thirty-one of the Laws of eighteen hundred and seventy-six, entitled ‘An act to make the office of supervisor, in the county of Erie, a salaried office, and to provide for the appointment and compensation of other officers of said board,’ as amended by chapter one hundred and ninety-five of the Laws of eighteen hundred and seventy-nine, as further amended by chapter four hundred and eighty-five of the Laws of eighteen hundred and ninety-two, in relation to the officers of the board of supervisors, and as further amended by chapter four hundred and eighty-seven of the Laws of eighteen hundred and ninety-eight.” (No. 1428, Int. No. 1183.)

“An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled ‘An act to revise the charter of the city of Buffalo,’ as amended by chapter two hundred and twenty-eight of the Laws of nineteen hundred and one, relating to the repairing of private docks in the city of Buffalo.” (No. 2399, Rec. No. 168.)

By unanimous consent, Mr. Hart offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of the Senate bill (No. 969, Rec. No. 189) entitled “An act to authorize the city of Utica to borrow money for the purpose of erecting and equipping a new fire station in the twelfth ward of the city.”

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, on motion of Mr. Hart, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Hart, and by unanimous consent, said bill

was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Haines	McCue	Shuttleworth
Apgar	Dowling	Hamilton	Merritt	Sinclair
Averill	Draper	Hammond	Miller	Smith A E
Baldwin	Dudley	Hamn	Mills	Smith C
Baumann	Duell	Harawitz	Mooney	Staley
Blue	Eggleston	Harper	Moreland	Stern
Bohan	Eichhorn	Harris	Morgan	Stratton
Boshart	Farrell	Hart	Murphy C F	Surplless
Brady	Ferguson	Hoey	Nevins	Todd
Brough	Feth	Holmes	Northrup	Volk
Brown	Filley	Hubbs	Norton	Voss
Buckley	Flanagan	Hurd	O'Brian	Waddell
Burhyte	Foley J A	Huth	Oliver	Wainwright
Burns	Fowler	Jacobs	Parker	Walters
Burzynski	Francis	Keller	Patton	Waters
Cole	Frisbie	Lansing	Phillips	Weber
Collins	Ganly	Lee	Prentice	Weimert
Colné	Garbe	Lewis	Prince	Wells
Conklin	Glore	Loos	Ralston	Whitley
Conrady	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Robinson	Whitney G H
Cunningham	Goldberg	Maher	Rogers	Winters
Cuvillier	Green	Mallon	Schmidt	Wood
De Groot	Gundermann	Marlatt	Schwegler	Yale
Dobbs	Hackett	Matthews	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

By unanimous consent, Mr. F. G. Whitney offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on excise be discharged from the further consideration of the bill (No. 2029, Int. No. 1554) entitled "An act to amend the Liquor Tax Law, in relation to definitions; bonds to be given; revocation and cancellation of liquor tax certificates; injunction proceedings; illegal sales and selling;

definition of "hotel" and "guest" exceptions; special liquor tax certificates in cities of the first and second class."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, Mr. F. G. Whitney moved to amend as follows:

Page 19, line 26, strike out the bracket.

Page 20, line 4, strike out the bracket and "or allow to remain in".

Page 20, line 5, strike out the bracket before and after the word "other"; and the bracket before and after "s" so that "person" will read "persons".

Page 22, line 23, strike out all following the semicolon.

Page 22, strike out all of lines 24 and 25.

Page 22, line 26, strike out all before "and".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. F. G. Whitney, said bill was ordered reprinted and recommitted to the committee on excise.

By unanimous consent, Mr. Wainwright moved that the committee on revision be instructed to report Assembly bill (No. 2264, Int. No. 1425), entitled "An act to provide for laying out, constructing and maintaining a public park in the town of Rye, county of Westchester, and for the acquisition of lands and property for that purpose by the said town of Rye, and to provide for the payment thereof," amended as follows:

Page 2, line 12, strike out the words "such purpose" and insert "acquiring such lands".

Page 2, line 15, strike out the words "relating to ballots".

Page 2, strike out all of line 23, and to and including the word "act" in line 24, and insert the words "as above provided".

Page 3, strike out the word "commissioner" and insert the word "commissioners".

Page 4, line 5, strike out the word "land" and insert the word "lands".

Page 4, line 7, strike out the word "corporations" and insert "corporation".

Page 4, at the end of line 20, insert the following: "provided, however, that if said damages, interest, costs, allowances and charges exceed two and one-half percentum of the total assessed

valuation of the real and personal property of the town of Rye, as appears by the assessment-roll of said town for the preceding year, then the proceeding for condemnation of said lands shall be discontinued."

Page 6, strike out all of line 19.

Page 6, strike out all of line 24, after the word "appurtenances".

Page 6, strike out the word "said" and all of line 1, page 1, except the last word "the".

Page 7, line 2, strike out the comma and the words "as the case may be".

Page 8, line 3, strike out the words "or permit to be used".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker, from the committee on rules, reported in favor of the adoption of a special rule to read as follows:

Until the date of final adjournment of this session of the Legislature shall have been fixed a notice may be given, requesting that any matter be made a special order, or that the rules be suspended for the purpose of reading a bill out of its order, which shall be referred, without debate, to the committee on rules. The member making the motion, or giving the notice, shall submit in writing the reasons for making such special order or suspension, and attach thereto a copy of the bill.

The committee may report at any time, and such report shall stand as the determination of the House, unless otherwise ordered by a vote of two-thirds of the members present, and the committee shall not be discharged from the further consideration of any matter pending, unless by a like vote.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Sheridan
Apgar	Donnelly	Haines	McCue	Shuttleworth
Averill	Dowling	Hamilton	Merritt	Sinclair
Baldwin	Draper	Hammond	Miller	Smith A E

Baumann	Dudley	Hamn	Mills	Smith C
Blue	Duell	Harawitz	Mooney	Staley
Bohan	Eggleston	Harper	Moreland	Stern
Boshart	Eichhorn	Harris	Morgan	Stratton
Brady	Farrell	Hart	Murphy C F	Surpless
Brough	Ferguson	Hoe	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Waddell
Burns	Foley J A	Huth	Oliver	Walters
Burzynski	Fowler	Jacobs	Parker	Waters
Cole	Francis	Keller	Patton	Weber
Collins	Frisbie	Lansing	Phillips	Weimert
Colné	Ganly	Lee	Prentice	Wells
Conklin	Garbe	Lewis	Prince	Whitley
Conrady	Glore	Loos	Ralston	Whitney F G
Croak	Gluck	Lowe	Reece	Wli ney G H
Cunningham	Glynn	Lupton	Robinson	Winters
Cuvillier	Goldberg	Maher	Rogers	Wood
De Groot	Green	Mallon	Schmidt	Yale
Dobbs	Gunderman	Marlatt	Schwegler	Young

Mr. Averill moved to take from the table his resolution to reconsider the vote by which Assembly bill (No. 1989, Int. No. 1529), entitled "An act to amend the Insurance Law, to permit mutual fire insurance companies or associations of other States to do business within this State; to regulate the business done by them; to tax the same; and to prohibit the insuring of property located in this State in unauthorized companies," was passed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill having been announced, Mr. Averill moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

AYES 51

NOES 55

Those who voted in the affirmative were:

Averill	Ferguson	Harris	Murphy C F	Smith C
Baldwin	Foley J A	Hart	Murphy G W	Volk
Blue	Frisbie	Hooper	Norton	Wagner
Bohan	Ganly	Lee	O'Brian	Weber
Burhyte	Glore	Lewis	Parker	Weimert
Conrady	Gluck	Lowe	Phillips	Wells
Dominy	Glynn	Maher	Prentice	Whitley

Draper	Gray	Matthews	Ralston	Whitney F G
Dudley	Hamilton	Merritt	Robinson	Whitney G H
Duell	Hammond	Morgan	Smith A F	Wood
Farrell				

Those who voted in the negative were:

Allen	Colné	Francis	Hubbs	Rogers
Apgar	Conklin	Garbe	Jackson	Schmidt
Baumann	Cuvillier	Geoghagan	Lansing	Schulz
Brady	De Groot	Goldberg	Mallon	Schwegler
Brooks	Dobbs	Gunderman	Mance	Sheridan
Brown	Fay	Hackett	McCue	Sinclair
Buckley	Feth	Haines	Mooney	Smith Myron
Burns	Filley	Hamn	Northrup	Stanton
Cavanaugh	Flanagan	Harper	Oliver	Stratton
Cole	Foley C F	Hoey	Patton	Surpless
Collins	Fowler	Holmes	Reece	Waters

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1353) entitled "An act to amend the Forest, Fish and Game Law, in relation to private parks, and repealing certain sections thereof" (Int. No. 1133), having been announced for a third reading,

On motion of Mr. Merritt, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 2472) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of James P. Cunningham against the State of New York, for damages alleged to have been sustained by him, and to render judgment therefor" (Int. No. 1657), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Sinclair
Apgar	Dowling	Hamilton	Miller	Smith A E
Averill	Draper	Hammond	Mills	Smith C
Baldwin	Dudley	Hamn	Mooney	Smith Myron
Baumann	Duell	Harawitz	Moreland	Staley

Blue	Eggleston	Harper	Morgan	Stern
Bohan	Eichhorn	Harris	Murphy C F	Stratton
Boshart	Farrell	Hart	Nevins	Surpluss
Brady	Ferguson	Hoey	Northrup	Todd
Brough	Feth	Holmes	Norton	Volk
Brown	Filley	Hubbs	O'Brian	Voss
Buckley	Flanagan	Hurd	Oliver	Waddell
Burhyte	Foley J. A.	Huth	Parker	Wainwright
Burns	Fowler	Jacobs	Patton	Walters
Burzynski	Francis	Keller	Phillips	Waters
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Ganly	Lee	Prince	Weimert
Colné	Garbe	Lewis	Ralston	Wells
Conklin	Geoghagan	Loos	Reece	Whitley
Conrady	Glore	Lowe	Robinson	Whitney F G
Croak	Gluck	Lupton	Rogers	Whitney G H
Cunningham	Glynn	Maher	Schmidt	Winters
Cuvillier	Goldberg	Mallon	Schoeneck	Wood
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2466) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of E. J. Lawless, doing business under the title name of the Lawless Paper Company, against the State of New York, for damages alleged to have been sustained by him, and to render judgment therefor" (Int. No. 900), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and if was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Sinclair
Apgar	Dowling	Hamilton	Miller	Smith A E
Averill	Draper	Hammond	Mills	Smith C
Baldwin	Dudley	Hamn	Mooney	Smith Myron
Baumann	Duell	Harawitz	Mcireland	Staley
Blue	Eggleston	Harper	Morgan	Stern
Bohan	Eichhorn	Harris	Murphy C F	Stratton
Boshart	Farrell	Hart	Nevins	Surpluss

Brady	Ferguson	Hoey	Northrup	Todd
Brough	Feth	Holmes	Norton	Volk
Brown	Filley	Hubbs	O'Brian	Voss
Buckley	Flanagan	Hurd	Oliver	Waddell
Burhyte	Foley J A	Huth	Parker	Wainwright
Burns	Fowler	Jackson	Patton	Walters
Burzynski	Francis	Keller	Phillips	Waters
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Ganly	Lee	Prince	Weimert
Colné	Garbe	Lewis	Ralston	Wells
Conklin	Geoghagan	Loos	Reece	Whitley
Conrady	Glore	Lowe	Robinson	Whitney F G
Croak	Gluck	Lupton	Rogers	Whitney G H
Cunningham	Glynn	Maher	Schmidt	Winters
Cuvillier	Goldberg	Mallon	Schoeneck	Wood
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2434) entitled "An act to amend the Highway Law, relating to the cutting and removal of noxious weeds and brush, and providing for the same when the highway is in the boundary lines between two or more towns" (Int. No. 750), having been announced for a third reading,

On motion of Mr. Stratton, and by unanimous consent, said bill was made a special order on third reading for Tuesday next, immediately after the reading of the journal.

The bill (No. 2465) entitled "An act to prohibit the construction, maintenance or operation of any surface, elevated or steam railroad upon avenue F in the borough of Brooklyn" (Int. No. 1346), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Miller	Sinclair
Apgar	Dowling	Hammond	Mills	Smith A E
Averill	Draper	Hamn	Mooney	Smith C
Baldwin	Duiley	Harawitz	Moreland	Smith Myron

Baumann	Duell	Harper	Morgan	Staley
Blue	Eggleston	Harris	Murphy C F	Stern
Bohan	Eichhorn	Hart	Nevins	Stratton
Boshart	Farrell	Hoey	Northrup	Surpless
Brady	Ferguson	Holmes	Norton	Todd
Brough	Feth	Hubbs	O'Brian	Volk
Brown	Filley	Hurd	Oliver	Voss
Buckley	Flanagan	Huth	Parker	Waddell
Burhyte	Foley J A	Jacobs	Patton	Wainwright
Burns	Fowler	Keller	Phillips	Walters
Burzynski	Francis	Lansing	Prentice	Waters
Cole	Frisbie	Lee	Prince	Weber
Collins	Ganly	Lewis	Ralston	Weimert
Colné	Garbe	Loos	Reece	Wells
Conklin	Glore	Lowe	Robinson	Whitley
<b>Conrady</b>	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Green	Marlatt	Schwegler	Wood
De Groot	Gunderman	Matthews	Sheridan	Yale
Dobbs	Hackett	McCue	Shuttleworth	Young
Dominy	Haines	Merritt		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2435) entitled "An act to amend chapter two hundred and twenty-three of the Laws of eighteen hundred and ninety, entitled 'An act to authorize towns to raise money to defray the expenses of the proper observance of Memorial or Decoration day,' relative to the duties of town boards" (Int. No. 1450), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Sinclair
Apgar	Dowling	Hamilton	Miller	Smith A E
Averill	Draper	Hammond	Mills	Smith C
Baldwin	Dudley	Hamn	Mooney	Smith Myron
Baumann	Duell	Harawitz	Moreland	Staley
Blue	Eggleston	Harper	Morgan	Stern
Bohan	Eichhorn	Harris	Murphy C F	Stratton
Boshart	Farrell	Hart	Nevins	Surpless
Brady	Ferguson	Hoey	Northrup	Todd

Brough	Feth	Holmes	Norton	Volk
Brown	Filley	Hubbs	O'Brian	Voss
Buckley	Flanagan	Hurd	Oliver	Waddell
Burhyte	Foley J A	Huth	Parker	Wainwright
Burns	Fowler	Jacobs	Patton	Walters
Burzynski	Francis	Keller	Phillips	Waters
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Ganly	Lee	Prince	Weimert
Colné	Garbe	Lewis	Ralston	Wells
Conklin	Geoghagan	Loos	Reece	West
Conrady	Glore	Lowe	Robinson	Whitley
Croak	Gluck	Lupton	Rogers	Whitney F G
Cunningham	Glynn	Maher	Schmidt	Whitney G H
Cuvillier	Goldberg	Mallon	Schoeneck	Winters
De Groot	Green	Marlatt	Schwegler	Wood
Dobbs	Gunderman	Matthews	Sheridan	Yale
Dominy	Hackett	McCue	Shuttleworth	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2467) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of James E. Shelland against the State of New York for money alleged to have been expended and for services rendered as an officer in the Thirty-ninth Regiment of the New York State Militia in the years eighteen hundred and sixty-one and eighteen hundred and sixty-two, and to render judgment therefor" (Int. No. 862), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Sinclair
Apgar	Dowling	Hamilton	Miller	Smith A E
Averill	Draper	Hammond	Mills	Smith C
Baldwin	Dudley	Hamn	Mooney	Smith Myron
Baumann	Duell	Harawitz	Moreland	Staley
Blue	Eggleston	Harper	Morgan	Stern
Bohan	Eichhorn	Harris	Murphy C F	Stratton
Boshart	Farrell	Hart	Nevins	Surpless
Brady	Ferguson	Hoey	Northrup	Todd
Brough	Feth	Holmes	Norton	Volk
Brown	Filley	Hubbs	O'Brian	Voss

Buckley	Flanagan	Hurd	Oliver	Waddell
Burhyte	Foley J A	Huth	Parker	Wainwright
Burns	Fowler	Jacobs	Patton	Walters
Burzynski	Francis	Keller	Phillips	Waters
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Ganly	Lee	Prince	Weimert
Colné	Garbe	Lewis	Ralston	Wells
Conklin	Geoghagan	Loos	Reece	Whitley
Conrady	Glore	Lowe	Robinson	Whitney F G
Croak	Gluck	Lupton	Rogers	Whitney G H
Cunningham	Glynn	Maher	Schmidt	Winters
Cuvillier	Goldberg	Mallon	Schoeneck	Wood
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2440) entitled "An act to amend chapter sixty-six of the Laws of nineteen hundred and six, entitled 'An act to make the office of sheriff of the county of Warren a salaried office,' in relation to increasing the number of deputies" (Int. No. 225), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Sinclair
Apgar	Dowling	Hamilton	Miller	Smith A E
Averill	Draper	Hammond	Mills	Smith C
Baldwin	Dudley	Hamn	Mooney	Smith Myron
Baumann	Duell	Harawitz	Moreland	Staley
Blue	Eggleston	Harper	Morgan	Stern
Bohan	Eichhorn	Harris	Murphy C F	Stratton
Boshart	Farrell	Hart	Nevins	Surpluss
Brady	Ferguson	Hoey	Northrup	Todd
Brough	Feth	Holmes	Norton	Volk
Brown	Filley	Hubbs	O'Brian	Voss
Buckley	Flanagan	Hurd	Oliver	Waddell
Burhyte	Foley J A	Huth	Parker	Wainwright
Burns	Fowler	Jacobs	Patton	Walters
Burzynski	Francis	Keller	Phillips	Waters
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Ganly	Lee	Prince	Weimert
Colné	Garbe	Lewis	Ralston	Wells

Conklin	Geoghagan	Loos	Reece	Whitley
Conrady	Glore	Lowe	Robinson	Whitney F G
Croak	Gluck	Lupton	Rogers	Whitney G H
Cunningham	Glynn	Maher	Schmidt	Winters
Cuvillier	Goldberg	Mallon	Schoeneck	Wood
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2473) entitled "An act to authorize the city of New York to acquire lands on Prospect Heights in the borough of Brooklyn as sites for public buildings, and to provide for the establishment and maintenance of public educational institutions" (Int. No. 1526), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Sinclair
Apgar	Dowling	Hamilton	Miller	Smith A E
Averill	Draper	Hammond	Mills	Smith C
Baldwin	Dudley	Hamn	Mooney	Smith Myron
Baumann	Duell	Harawitz	Moreland	Staley
Blue	Eggleston	Harper	Morgan	Stern
Bohan	Eichhorn	Harris	Murphy C F	Stratton
Boshart	Farrell	Hart	Nevins	Surpless
Brady	Ferguson	Hoey	Northrup	Todd
Brough	Feth	Holmes	Norton	Volk
Brown	Filley	Hubbs	O'Brian	Voss
Buckley	Flanagan	Hurd	Oliver	Waddell
Burhyte	Foley J A	Huth	Parker	Wainwright
Burns	Fowler	Jacobs	Patton	Walters
Burzynski	Francis	Keller	Phillips	Waters
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Ganly	Lee	Prince	Weimert
Colné	Garbe	Lewis	Ralston	Wells
Conklin	Geoghagan	Loos	Reece	Whitley
Conrady	Glore	Lowe	Robinson	Whitney F G
Croak	Gluck	Lupton	Rogers	Whitney G H
Cunningham	Glynn	Maher	Schmidt	Winters
Cuvillier	Goldberg	Mallon	Schoeneck	Wood
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2468) entitled "An act to confer upon the Court of Claims jurisdiction to hear, audit and determine the alleged claim of the executors and devisees of Robert Earl, deceased, against the State, for compensation alleged to have been discontinued, and to render judgment therefor" (Int. No. 1558), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hammond	Miller	Sinclair
Apgar	Dowling	Hamn	Mills	Smith A E
Averill	Draper	Harawitz	Mooney	Smith C
Baldwin	Dudley	Harper	Moreland	Smith Myron
Baumann	Duell	Harris	Morgan	Staley
Blue	Eggleston	Hart	Murphy C F	Stern
Bohan	Eichhorn	Hoey	Nevins	Stratton
Boshart	Farrell	Holmes	Northrup	Surpless
Brady	Ferguson	Hubbs	Norton	Todd
Brough	Feth	Hurd	O'Brian	Volk
Brown	Filley	Huth	Oliver	Voss
Buckley	Flanagan	Jacobs	Parker	Waddell
Burhyte	Foley J A	Keller	Patton	Wainwright
Burns	Fowler	Lansing	Phillips	Walters
Burzynski	Francis	Lee	Prentice	Waters
Cole	Frisbie	Lewis	Prince	Weber
Collins	Ganly	Loos	Ralston	Weimert
Colné	Garbe	Lowe	Reece	Wells
Conklin	Glore	Lupton	Robinson	Whitley
Conrad	Gluck	Maher	Rogers	Whitney F G
Croak	Glynn	Mallon	Schmidt	Whitney G H
Cunningham	Goldberg	Marlatt	Schoeneck	Winters
Cuvillier	Green	Matthews	Schwegler	Wood
De Groot	Hackett	McCue	Sheridan	Yale
Dobbs	Haines	Merritt	Shuttleworth	Young
Dominy	Hamilton			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2474) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of Clarence W. Francis against the State, for disbursements and expenditures, by him as deputy attorney general of the State of New York, and to render judgment therefor" (Int. No. 1479), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Sinclair
Apgar	Dowling	Hamilton	Miller	Smith A E
Averill	Draper	Hammond	Mills	Smith C
Baldwin	Dudley	Hamn	Mooney	Smith Myron
Baumann	Duell	Harawitz	Moreland	Staley
Blue	Eggleston	Harper	Morgan	Stern
Bohan	Eichhorn	Harris	Murphy C F	Stratton
Boshart	Farrell	Hart	Nevins	Surpless
Brady	Ferguson	Hoey	Northrup	Todd
Brough	Feth	Holmes	Norton	Volk
Brown	Filley	Hubbs	O'Brian	Voss
Buckley	Flanagan	Hurd	Oliver	Waddell
Burhyte	Foley J A	Huth	Parker	Wainwright
Burns	Fowler	Jacobs	Patton	Walters
Burzynski	Francis	Keller	Phillips	Waters
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Ganly	Lee	Prince	Weimert
Colné	Garbe	Lewis	Ralston	Wells
Conklin	Geoghagan	Loos	Reece	Whitley
Conrady	Glore	Lowe	Robinson	Whitney F G
Croak	Gluck	Lupton	Rogers	Whitney G H
Cunningham	Glynn	Maher	Schmidt	Winters
Cuvillier	Goldberg	Mallon	Schoeneck	Wood
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2469) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Arthur L. Condit, against the State of New York,

for damages alleged to have been sustained by him in the autumn of nineteen hundred two, and to render judgment therefor" (Int. No. 1207), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Miller	Sinclair
Apgar	Dowling	Hammond	Mills	Smith A E
Averill	Draper	Hamn	Mooney	Smith C
Baldwin	Dudley	Harawitz	Moreland	Smith Myron
Baumann	Duell	Harper	Morgan	Staley
Blue	Eggleston	Harris	Murphy C F	Stern
Bohan	Eichhorn	Hart	Nevins	Stratton
Boshart	Farrell	Hoey	Northrup	Surpless
Brady	Ferguson	Holmes	Norton	Todd
Brough	Feth	Hubbs	O'Brian	Volk
Brown	Filley	Hurd	Oliver	Voss
Buckley	Flanagan	Huth	Parker	Waddell
Burhyte	Foley J A	Jacobs	Patton	Wainwright
Burns	Fowler	Keller	Phillips	Walters
Burzynski	Francis	Lansing	Prentice	Waters
Cole	Frisbie	Lee	Prince	Weber
Collins	Ganly	Lewis	Ralston	Weimert
Colné	Garbe	Loos	Reece	Wells
Conklin	Glore	Lowe	Robinson	Whitley
Conrady	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Green	Marlatt	Schwegler	Wood
De Groot	Gunderman	Matthews	Sheridan	Yale
Dobbs	Hackett	McCue	Shuttleworth	Young
Dominy	Haines	Merritt		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2441) entitled "An act to amend chapter two hundred and forty-two of the Laws of nineteen hundred and six, entitled 'An act to amend, revise and consolidate the charter of the village of Ossining, and to extend the boundaries of said village'" (Int. No. 1606), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Sinclair
Apgar	Dowling	Hamilton	Miller	Smith A E
Averill	Draper	Hammond	Mills	Smith C
Baldwin	Dudley	Hamn	Mooney	Smith Myron
Baumann	Duell	Harawitz	Moreland	Staley
Blue	Eggleston	Harper	Morgan	Stern
Bohan	Eichhorn	Harris	Murphy C F	Stratton
Boshart	Farrell	Hart	Nevins	Surpless
Brady	Ferguson	Hoey	Northrup	Todd
Brough	Feth	Holmes	Newton	Volk
Brown	Filley	Hubbs	O'Brian	Voss
Buckley	Fianagan	Hurd	Oliver	Waddell
Burhyte	Foley J A	Huth	Parker	Wainwright
Burns	Fowler	Jacobs	Patton	Walters
Burzynski	Francis	Keller	Phillips	Waters
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Ganly	Lee	Prince	Weimert
Colné	Garbe	Lewis	Ralston	Wells
Conklin	Geoghagan	Loos	Reece	Whitley
Conrady	Glore	Lowe	Robinson	Whitney F G
Croak	Gluck	Lupton	Rogers	Whitney G H
Cunningham	Glynn	Maher	Schmidt	Winters
Cuvillier	Goldberg	Mallon	Schoeneck	Wood
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2438) entitled "An act to amend the Tax Law, in relation to the description of special franchises" (Int. No. 1202), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Miller	Sinclair
Apgar	Dowling	Hammond	Mills	Smith A E
Averill	Draper	Hamn	Mooney	Smith C
Baldwin	Dudley	Harawitz	Moreland	Smith Myron
Baumann	Duell	Harper	Morgan	Staley
Blue	Eggleston	Harris	Murphy C F	Stern
Bohan	Eichhorn	Hart	Nevins	Stratton
Boshart	Farrell	Hoey	Northrup	Surpless
Brady	Ferguson	Holmes	Norton	Todd
Brough	Feth	Hubbs	O'Brian	Volk
Brown	Filley	Hurd	Oliver	Voss
Buckley	Flanagan	Huth	Parker	Waddell
Burhyte	Foley J A	Jacobs	Patton	Wainwright
Burns	Fowler	Keller	Phillips	Walters
Burzynski	Francis	Lansing	Prentice	Waters
Cole	Frisbie	Lee	Prince	Weber
Collins	Ganly	Lewis	Ralston	Weimert
Colné	Garbe	Loos	Reece	Wells
Conklin	Glore	Lowe	Robinson	Whitley
Conrady	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Green	Marlatt	Schwegler	Wood
De Groot	Gunderman	Matthews	Sheridan	Yale
Dobbs	Hackett	McCue	Shuttleworth	Young
Dominy	Haines	Merritt		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2470) entitled "An act to amend the Greater New York charter, relative to the appointment of teachers in the public schools" (Int. No. 1615), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Miller	Sinclair
Apgar	Dowling	Hammond	Mills	Smith A E
Averill	Draper	Hamn	Mooney	Smith C
Baldwin	Dudley	Harawitz	Moreland	Smith Myron

Baumann	Duell	Harper	Morgan	Staley
Blue	Eggleston	Harris	Murphy C F	Stern
Bohan	Eichhorn	Hart	Nevins	Stratton
Boshart	Farrell	Hoey	Northrup	Surpless
Brady	Ferguson	Holmes	Norton	Todd
Brough	Feth	Hubbs	O'Brian	Volk
Brown	Filley	Hurd	Oliver	Voss
Buckley	Flanagan	Huth	Parker	Waddell
Burhyte	Foley J A	Jacobs	Patton	Wainwright
Burns	Fowler	Keller	Phillips	Walters
Burzynski	Francis	Lansing	Prentice	Waters
Cole	Frisbie	Lee	Prince	Weber
Collins	Ganly	Lewis	Ralston	Weimert
Colné	Garbe	Loos	Reece	Wells
Conklin	Glore	Lowe	Robinson	Whitley
Conrady	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Green	Marlatt	Schwegler	Wood
De Groot	Gunderman	Matthews	Sheridan	Yale
Dobbs	Hackett	McCue	Shuttleworth	Young
Dominy	Haines	Merritt		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2439) entitled "An act to empower the board of assessors of the city of New York to estimate and allow damages sustained by owners of real property fronting upon streets and avenues abutting or approaching the bridge between Jackson avenue, in the former town of Newtown, and Broadway, in the former town of Flushing, in the borough of Queens, city of New York, and to provide for payment of awards" (Int. No. 1019), having been announced for a third reading,

On motion of Mr. Flanagan, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 2471) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Gustavus T. Kirby, against the State, for services performed, money expended and disbursements incurred as an attorney at law, and to render judgment therefor" (Int. No. 1667), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Sinclair
Apgar	Dowling	Hamilton	Miller	Smith A E
Averill	Draper	Hammond	Mills	Smith C
Baldwin	Dudley	Hamn	Mooney	Smith Myron
Bauman	Duell	Harawitz	Moreland	Staley
Blue	Eggleston	Harper	Morgan	Stern
Bohan	Eichhorn	Harris	Murphy C F	Stratton
Boshart	Farrell	Hart	Nevins	Surpless
Brady	Ferguson	Hoey	Northrup	Todd
Brough	Feth	Holmes	Norton	Volk
Brown	Filley	Hubbs	O'Brian	Voss
Buckley	Flanagan	Hurd	Oliver	Waddell
Burhyte	Foley J A	Huth	Parker	Wainwright
Burns	Fowler	Jacobs	Patton	Walters
Burzynski	Francis	Keller	Phillips	Waters
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Ganly	Lee	Prince	Weimert
Colné	Garbe	Lewis	Ralston	Wells
Conklin	Geoghagan	Loos	Reece	Whitley
Conrady	Glore	Lowe	Robinson	Whitney F G
Croak	Gluck	Lupton	Rogers	Whitney G H
Cunningham	Glynn	Maher	Schmidt	Winters
Cuvillier	Goldberg	Mallon	Schoeneck	Wood
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2436) entitled "An act to amend the Election Law, relative to form of ballots and canvass of the vote on voting machines" (Int. No. 1518), having been announced for a third reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 2464) entitled "An act to amend chapter six hundred and eighty-six of the Laws of eighteen hundred and ninety-four, entitled 'An act for the preservation of macadamized and other public highways in the counties of Queens and Nassau,' in relation to exempting certain roads from certain of the provisions thereof" (Int. No. 1602), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Sinclair
Apgar	Dowling	Hamilton	Miller	Smith A E
Averill	Draper	Hammond	Mills	Smith C
Baldwin	Dudley	Hamn	Mooney	Smith Myron
Baumann	Duell	Harawitz	Moreland	Staley
Blue	Eggleston	Harper	Morgan	Stern
Bohan	Eichhorn	Harris	Murphy C F	Stratton
Boshart	Farrell	Hart	Nevins	Surpless
Brady	Ferguson	Hoey	Northrup	Todd
Brough	Feth	Holmes	Norton	Volk
Brown	Filley	Hubbs	O'Brian	Voss
Buckley	Flanagan	Hurd	Oliver	Waddell
Burhyte	Foley J A	Huth	Parker	Wainwright
Burns	Fowler	Jacobs	Patton	Walters
Burzynski	Francis	Keller	Phillips	Waters
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Ganly	Lee	Prince	Weimert
Colné	Garbe	Lewis	Ralston	Wells
Conklin	Geoghagan	Loos	Reece	Whitley
Conrady	Glore	Lowe	Robinson	Whitney F G
Croak	Gluck	Lupton	Rogers	Whitney G H
Cunningham	Glynn	Maher	Schmidt	Winters
Cuvillier	Goldberg	Mallon	Schoeneck	Wood
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2437) entitled "An act to amend the Town Law, in relation to assessors' clerks in certain towns of the county of Nassau" (Int. No. 1629), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Miller	Sinclair
Apgar	Dowling	Hammond	Mills	Smith A E
Averill	Draper	Hamn	Mooney	Smith C
Baldwin	Dudley	Harawitz	Moreland	Smith Myron
Baumann	Duell	Harper	Morgan	Staley
Blue	Eggleston	Harris	Murphy C F	Stern
Bohan	Eichhorn	Hart	Nevins	Stratton
Boshart	Farrell	Hoey	Northrup	Surpless
Brady	Ferguson	Holmes	Norton	Todd
Brough	Feth	Hubbs	O'Brian	Volk
Brown	Filley	Hurd	Oliver	Voss
Buckley	Flanagan	Huth	Parker	Waddell
Burhyte	Foley J A	Jacobs	Patton	Wainwright
Burns	Fowler	Keller	Phillips	Walters
Burzynski	Francis	Lansing	Prentice	Waters
Cole	Frisbie	Lee	Prince	Weber
Collins	Ganly	Lewis	Ralston	Weimert
Colné	Garbe	Loos	Reece	Wells
Conklin	Glore	Lowe	Robinson	Whitley
Conrady	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Green	Marlatt	Schwegler	Wood
De Groot	Gunderman	Matthews	Sheridan	Yale
Dobbs	Hackett	McCue	Shuttleworth	Young
Dominy	Haines	Merritt		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 1130, Assembly reprint No. 2442) entitled "An act to amend the Greater New York charter, relative to the department of health pension fund" (Rec. No. 254), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Sinclair
Apgar	Dowling	Hamilton	Miller	Smith A E
Averill	Draper	Hammond	Mills	Smith C
Baldwin	Dudley	Hamn	Mooney	Smith Myron
Baumann	Duell	Harawitz	Moreland	Staley

Blue	Eggleston	Harper	Morgan	Stern
Bohan	Eichhorn	Harris	Murphy C F	Stratton
Boshart	Farrell	Hart	Nevins	Surpless
Brady	Ferguson	Hoey	Northrup	Todd
Brough	Feth	Holmes	Norton	Volk
Brown	Filley	Hubbs	O'Brian	Voss
Buckley	Flanagan	Hurd	Oliver	Waddell
Burhyte	Foley J A	Huth	Parker	Wainwright
Burns	Fowler	Jacobs	Patton	Walters
Burzynski	Francis	Keller	lips	Waters
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Ganly	Lee	Prince	Weimert
Colné	Garbe	Lewis	Ralston	Wells
Conklin	Geoghagan	Loos	Reece	Whitley
Conrad	Glore	Lowe	Robinson	Whitney F G
Croak	Gluck	Lupton	Rogers	Whitney G H
Cunningham	Glynn	Maher	Schmidt	Winters
Cuvillier	Goldberg	Mallon	Schoeneck	Wood
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The bill (No. 2443) entitled "An act to amend chapter six hundred and thirty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Yonkers,' generally" (Int. No. 1483), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Sinclair
Apgar	Dowling	Hamilton	Miller	Smith A E
Averill	Draper	Hammond	Mills	Smith C
Baldwin	Dudley	Hamn	Mooney	Smith Myron
Baumann	Duell	Harawitz	Morelana	Staley
Blue	Eggleston	Harper	Morgan	Stern
Bohan	Eichhorn	Harris	Murphy C F	Stratton
Boshart	Farrell	Hart	Nevins	Surpless
Brady	Ferguson	Hoey	Northrup	Todd
Brough	Feth	Holmes	Norton	Volk
Brown	Filley	Hubbs	O'Brian	Voss

Buckley	Flanagan	Hurd	Oliver	Waddell
Burhyte	Foley J A	Huth	Parker	Wainwright
Burns	Fowler	Jacobs	Patton	Walters
Burzynski	Francis	Keller	Phillips	Waters
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Ganly	Lee	Prince	Weimert
Colné	Garbe	Lewis	Ralston	Wells
Conklin	Geoghagan	Loos	Reece	Whitley
Conrady	Glore	Lowe	Robinson	Whitney F G
Croak	Gluck	Lupton	Rogers	Whitney G H
Cunningham	Glynn	Maher	Schmidt	Winters
Cuvillier	Goldberg	Mallon	Schoeneck	Wood
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 479) entitled "An act to prevent fire insurance companies entering into or maintaining pools, trusts, conspiracies or agreements to control rates of insurance" (Int. No. 466), having been announced for third reading, debate was had thereon.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 93

NOES 13

Those who voted in the affirmative were:

Allen	Cuvillier	Glore	Loos	Sheridan
Apgar	De Groot	Gluck	Lowe	Shuttleworth
Averill	Dobbs	Glynn	Maher	Sinclair
Baumann	Donnelly	Goldberg	Mance	Smith A E
Blue	Dowling	Gunderman	Marlatt	Smith C
Bohan	Draper	Hackett	McCue	Smith Myron
Boshart	Dudley	Hamilton	Merritt	Stern
Brady	Eagleton	Hammond	Mills	Stratton
Brooks	Eichhorn	Hamm	Mooney	Voss
Brown	Farrell	Harawitz	Morgan	Wagner
Buckley	Fay	Harper	Nevins	Waters
Burhyte	Ferguson	Hart	O'Brian	Weber
Burns	Feth	Hastings	Oliver	Weimert
Cavanaugh	Filly	Hubbs	Parker	Whitley
Cole	Flanagan	Hurd	Patton	Whitney F G
Collins	Foley C F	Jackson	Ralston	Whitney G H

Colné  
Conrady  
Croak

Francis  
Ganly  
Geoghagan

Lansing  
Lee

Reece  
Schwegler

Wood  
Yale

Those who voted in the negative were:

Baldwin  
Conklin  
Foley J A

Gray  
Hoey  
Keller

Prentice  
Robinson  
Rogers

Schmidt  
Schulz

Stanton  
Surpless

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2400) entitled "An act to amend the County Law, in relation to properly marking the graves of honorably discharged soldiers, sailors and marines" (Int. No. 1338), having been announced for third reading,

Mr. Dudley moved that said bill be recommitted to the committee on internal affairs, with instructions to report the same forthwith amended as follows:

Page 2, line 7, strike out "five" and insert "fifteen".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Apgar, from the committee on internal affairs, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 2386) entitled "An act to amend the Town Law, in relation to notice of special town meetings" (Int. No. 1637), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen  
Apgar  
Averill  
Baldwin  
Baumann  
Blue

Donnelly  
Dowling  
Draper  
Dudley  
Duell  
Eggleston

Haines  
Hamilton  
Hammond  
Hamn  
Harawitz  
Harper

Merritt  
Miller  
Mills  
Mooney  
Moreland  
Morgan

Sinclair  
Smith A E  
Smith C  
Smith Myron  
Staley  
Stern

Bohan	Eichhorn	Harris	Murphy C F	Stratton
Boshart	Farrell	Hart	Nevins	Surplless
Brady	Ferguson	Hoey	Northrup	Todd
Brough	Feth	Holmes	Norton	Volk
Brown	Fillee	Hubbs	O'Brian	Voss
Buckley	Flanagan	Hurd	Oliver	Waddell
Burhyte	Foley J A	Huth	Parker	Wainwright
Burns	Fowler	Jacobs	Patton	Walters
Burzynski	Francis	Keller	Phillips	Waters
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Ganly	Lee	Prince	Weimert
Colné	Garbe	Lewis	Ralston	Wells
Conklin	Geoghagan	Loos	Reece	Whitley
Conrady	Glore	Lowe	Robinson	Whitney F G
Croak	Gluck	Lupton	Rogers	Whitney G H
Cunningham	Glynn	Maher	Schmidt	Winters
Cuvillier	Goldberg	Mallon	Schoeneck	Wood
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2361) entitled "An act to amend the Greater New York charter, relative to revocation of licenses for public amusements" (Int. No. 1509), having been announced for a third reading,

On motion of Mr. Robinson, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 2381) entitled "An act to revise the charter of the city of North Tonawanda (Int. No. 969), having been announced for third reading.

Mr. C. F. Foley moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

On page 131, strike out lines 12, 13, 14, 15, 16, 17 and 18, to and including the word "therefore", and insert in place thereof the following: "Section 1.—In any case where the city of North Tonawanda is, under the provisions of any law of this state, authorized to grant consents, commonly called franchises, to any person, persons or corporation, to construct, maintain or operate poles, wires, pipes, conduits or other constructions, in, under or along the streets, alleys, highways or public places of the city, the person, persons or corporation applying for such franchise".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Dowling, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 48) entitled "An act to amend the Railroad Law, relative to the transportation of freight" (Rec. No. 47), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Sinclair
Apgar	Dowling	Hamilton	Miller	Smith A E
Averill	Draper	Hammond	Mills	Smith C
Baldwin	Dudley	Hamn	Mooney	Smith Myron
Baumann	Duell	Harawitz	Moreland	Staley
Blue	Eggleston	Harper	Morgan	Stern
Bohan	Eichhorn	Harris	Murphy C F	Stratton
Boshart	Farrell	Hart	Nevins	Surpless
Brady	Ferguson	Hoey	Northrup	Todd
Brough	Feth	Holmes	Norton	Volk
Brown	Fillely	Hubbs	O'Brian	Voss
Buckley	Flanagan	Hurd	Oliver	Waddell
Burhyte	Foley J A	Huth	Parker	Wainwright
Burns	Fowler	Jacobs	Patton	Walters
Burzynski	Francis	Keller	Phillips	Waters
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Ganly	Lee	Prince	Weimert
Colné	Garbe	Lewis	Ralston	Wells
Conklin	Geoghagan	Loos	Reece	Whitley
Conrad	Glore	Lowe	Robinson	Whitney F G
Croak	Gluck	Lupton	Rogers	Whitney G H
Cunningham	Glynn	Maher	Schmidt	Winters
Cuvillier	Goldberg	Mallon	Schoeneck	Wood
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 599) entitled "An act to amend the Code of Civil Procedure, relative to attachments" (Rec. No. 91), was

read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Miller	Sinclair
Apgar	Dowling	Hammond	Mills	Smith A E
Averill	Draper	Hamn	Mooney	Smith C
Baldwin	Dudley	Harawitz	Moreland	Smith Myron
Baumann	Duell	Harper	Morgan	Staley
Blue	Eggleston	Harris	Murphy C F	Stern
Bohan	Eichhorn	Hart	Nevins	Stratton
Boshart	Farrell	Hoey	Northrup	Surpless
Brady	Ferguson	Holmes	Norton	Todd
Brough	Feth	Hubbs	O'Brian	Volk
Brown	Filley	Hurd	Oliver	Voss
Buckley	Flanagan	Huth	Parker	Waddell
Burhyte	Foley J A	Jacobs	Patton	Wainwright
Burns	Fowler	Keller	Phillips	Walters
Burzynski	Francis	Lansing	Prentice	Waters
Cole	Frisbie	Lee	Prince	Weber
Collins	Ganly	Lewis	Ralston	Weimert
Colné	Garbe	Loos	Reece	Wells
Conklin	Glore	Lowe	Robinson	Whitley
Conrady	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Green	Marlatt	Schwegler	Wood
De Groot	Gunderman	Matthews	Sheridan	Yale
Dobbs	Hackett	McCue	Shuttleworth	Young
Dominy	Haines	Merritt		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Rogers moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Allen	Dobbs	Goldberg	Lowe	Schmidt
Apgar	Dominy	Gray	Maher	Schulz
Averill	Donnelly	Green	Mallon	Schwegler
Baldwin	Dowling	Gunderman	Mance	Sheridan
Baumann	Draper	Hackett	Marlatt	Sinclair
Blue	Dudley	Haines	Matthews	Smith A E
Bohan	Eagleton	Hamilton	McCue	Smith C
Boshart	Eggleston	Hammond	Merritt	Smith Myron
Brady	Eichhorn	Hamn	Mills	Stanton
Brooks	Farrell	Harawitz	Mooney	Stern
Brown	Fay	Harper	Morgan	Stratton
Buckley	Ferguson	Harris	Nevins	Surpless
Burhyte	Feth	Hart	Northrup	Volk
Burns	Filley	Hoey	Norton	Voss
Cavanaugh	Flanagan	Holmes	O'Brian	Wagner
Cole	Foley C F	Hooper	Oliver	Wainwright
Collins	Foley J A	Hubbs	Parker	Waters
Colné	Francis	Hurd	Patton	Weber
Conklin	Frisbie	Jackson	Phillips	Weimert
Conrady	Ganly	Keller	Ralston	Whitley
Croak	Garbe	Lansing	Reece	Whitney F G
Cunningham	Geoghagan	Lee	Robinson	Whitney G H
Cuvillier	Glore	Loos	Rogers	Wood
De Groot	Glynn			

Mr. Rogers moved that the call of the House be made a close call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate bill (No. 1218) entitled "An act to amend the Greater New York charter, in relation to the fixing of the salaries of the members of the supervising and teaching staff of the public schools of the city of New York" (Rec. No. 242), having been announced for third reading,

Mr. Sheridan moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

On page 5, line 5, before the word "provided" insert the following: "Provided, however, that for all persons who at the time of the passage of this act are members of the supervising or teaching staff of any of the public schools of the city of New York, the annual increments in each schedule and the maximum salary to be established for any schedule shall in no case be less than the annual increments for men, and the maximum salary for men which were in effect at the time of the passage of this act and".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read the third time, having been printed

and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 105

NOES 15

Those who voted in the affirmative were:

Allen	De Groot	Ganly	Hurd	Rogers
Apgar	Dobbs	Garbe	Jackson	Schmidt
Baldwin	Dominy	Geoghagan	Keller	Schulz
Baumann	Donnelly	Glore	Lansing	Schwegler
Blue	Dowling	Glynn	Lewis	Sinclair
Bohan	Draper	Goldberg	Loos	Smith A E
Boshart	Dudley	Gray	Maher	Smith C
Brady	Eagleton	Green	Mallon	Stanton
Brooks	Eggleston	Gunderman	Mance	Stern
Brown	Eichhorn	Hackett	Marlatt	Stratton
Buckley	Farrell	Haines	McCue	Surpless
Burhyte	Fay	Hamilton	Merritt	Volk
Burns	Ferguson	Hammond	Mills	Voss
Cavanaugh	Feth	Hamn	Mooney	Wagner
Collins	Filley	Harawitz	Murphy C F	Waters
Colné	Flanagan	Harper	Northrup	Weber
Conklin	Foley C F	Harris	Oliver	Weimert
Conrady	Foley J A	Hastings	Patton	Whitney F G
Croak	Fowler	Hoey	Ralston	Whitney G H
Cunningham	Francis	Holmes	Reece	Wood
Cuvillier	Frisbie	Hubbs	Robinson	Yale

Those who voted in the negative were:

Averill	Hooper	Matthews	O'Brian	Sheridan
Cole	Lee	Morgan	Parker	Wainwright
Hart	Lowé	Nevens	Prentice	Whitley

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 2426) entitled "An act relative to ordinances relating to the disposition of franchises in the city of Syracuse" (Int. No. 1732), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 85

NOES 13

Those who voted in the affirmative were:

Allen	Draper	Hamn	Marlatt	Schwegler
Apgar	Dudley	Harper	Matthews	Sinclair
Averill	Eggleston	Harris	Merritt	Smith C
Baldwin	Eichhorn	Hart	Mills	Stanton
Blue	Ferguson	Hastings	Morgan	Stern
Bohan	Filley	Hoey	Murphy C F	Stratton
Boshart	Foley C F	Holmes	Nevins	Surpluss
Brooks	Fowler	Hooper	Norton	Volk
Brown	Francis	Hubbs	O'Brian	Voss
Burhyte	Frisbie	Hurd	Parker	Wagner
Cole	Glore	Jackson	Patton	Waters
Collins	Gray	Keller	Prentice	Weber
Conklin	Green	Lansing	Ralston	Weimert
De Groot	Gunderman	Lewis	Reece	Whitley
Dobbs	Hackett	Lowe	Robinson	Whitney F G
Dominy	Haines	Maher	Rogers	Whitney G H
Dowling	Hammond	Mallon	Schulz	Wood

Those who voted in the negative were:

Baumann	Cuvillier	Feth	Glynn	Mooney
Colné	Donnelly	Ganly	McCue	Schmidt
Croak	Farrell	Geoghagan		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1202) entitled "An act to amend the Code of Civil Procedure with respect to the City Court of the city of New York, relating to an increase of the number of justices and salaries of justices, the duties of the justices abrogating the limitation of the clerk of the amount for which judgment may be entered, and repealing the section relating thereto, relating to the appointment and removal of clerks, attendants, et cetera, and their duties, creating an appellate term of the court for the hearing of appeals from the municipal courts of the city of New York and from the City Court, and providing how such appeals may be heard, and judgments thereon enforced, and allowing appeals to the Appellate Division in certain cases from judgments of the City Court, and also in reference to other matters pertaining to the administration of the court" (Int. No. 287), having been announced for a second reading,

On motion of Mr. Prentice, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 2373) entitled "An act to amend chapter one hundred and seventeen of the Laws of eighteen hundred and eighty-three, entitled 'An act to amend, consolidate and revise the charter of the village of Peekskill, and the several acts amendatory thereof,' in relation to the power and authority of the board of trustees" (Int. No. 1711), was read the second time.

On motion of Mr. Apgar, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2225) entitled "An act to secure sufficient water in the barge canal between Lake Erie and the Genesee river" (Int. No. 1633), was read the second time.

On motion of Mr. Averill, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2335) entitled "An act to amend chapter three hundred and thirty-four of the Laws of nineteen hundred and one, entitled 'An act in relation to tenement houses in cities of the first class'" (Int. No. 1692), was read the second time.

On motion of Mr. Brough, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1464) entitled "An act to amend the Greater New York charter, as re-enacted by chapter four hundred and sixty-six of the Laws of nineteen hundred and one, relative to the police force" (Int. No. 1212), having been announced for a second reading,

On motion of Mr. Prentice, and by unanimous consent, said bill was ordered placed on the second reading calendar for Friday next.

The bill (No. 2382) entitled "An act to amend section eight hundred and fifty-nine of the Greater New York charter relative to wharfage rates on harbor lighters and other vessels at the port of New York" (Int. No. 456), having been announced for a second reading,

On motion of Mr. Prentice, and by unanimous consent, said bill was ordered placed on the second reading calendar for Friday next.

The bill (No. 2104) entitled "An act to amend chapter two hundred and sixty-nine of the Laws of nineteen hundred and two, entitled 'An act to incorporate the city of Plattsburgh,' generally" (Int. No. 1579), was read the second time.

On motion of Mr. Dominy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2460) entitled "An act to empower the common council of the city of New Rochelle to issue and sell bonds for the purpose of defraying the expense of certain public improvements" (Int. No. 1752), was read the second time.

On motion of Mr. Duell, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 640) entitled "An act to amend the Highway Law, in relation to altering or discontinuing a highway or laying out a new highway" (Int. No. 599), was read the second time.

On motion of Mr. Filley, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2346) entitled "An act to amend chapter one hundred and twenty of the Laws of eighteen hundred and eighty-six, entitled 'An act to revise the charter of the city of Lockport,' relating to the police department of said city" (Int. No. 1698), was read the second time.

On motion of Mr. C. F. Foley, said bill was placed on the order of third reading.

On motion of Mr. C. F. Foley, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Sinclair
Apgar	Dowling	Hamilton	Miller	Smith A E
Averill	Draper	Hammond	Mills	Smith C
Baldwin	Dudley	Hamn	Mooney	Smith Myron

Baumann	Duell	Harawitz	Moreland	Staley
Blue	Eggleston	Harper	Morgan	Stern
Bohan	Eichhorn	Harris	Murphy C F	Stratton
Boshart	Farrell	Hart	Nevins	Surpless
Brady	Ferguson	Hoey	Northrup	Todd
Brough	Feth	Holmes	Norton	Volk
Brown	Filley	Hubbs	O'Brian	Voss
Buckley	Flanagan	Hurd	Oliver	Waddell
Burhyte	Foley J A	Huth	Parker	Wainwright
Burns	Fowler	Jacobs	Patton	Walters
Burzynski	Francis	Keller	Phillips	Waters
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Ganly	Lee	Prince	Weimert
Colné	Garbe	Lewis	Ralston	Wells
Conklin	Geoghagan	Loos	Reece	Whitley
Conrady	Glore	Lowe	Robinson	Whitney F G
Croak	Gluck	Lupton	Rogers	Whitney G H
Cunningham	Glynn	Maher	Schmidt	Winters
Cuvillier	Goldberg	Mallon	Schoeneck	Wood
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2242) entitled "An act to amend chapter three hundred and thirty-four of the Laws of nineteen hundred and one, entitled 'An act in relation to tenement houses in cities of the first class,' relative to bakeries" (Int. No. 1652), was read the second time.

On motion of Mr. Glore, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2388) entitled "An act to amend the Greater New York charter, relative to the department of street cleaning" (Int. No. 435), was read the second time.

On motion of Mr. Hackett, said bill was placed on the order of third reading.

On motion of Mr. Hackett, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Sinclair
Apgar	Dowling	Hamilton	Miller	Smith A E
Averill	Draper	Hammond	Mills	Smith C
Baldwin	Dudley	Hamn	Mooney	Smith Myron
Baumann	Duell	Harawitz	Moreland	Staley
Blue	Eggleston	Harper	Morgan	Stern
Bohan	Eichhorn	Harris	Murphy C F	Stratton
Boshart	Farrell	Hart	Nevins	Surpless
Brady	Ferguson	Hoe	Northrup	Todd
Brough	Feth	Holmes	Norton	Volk
Brown	Filley	Hubbs	O'Brian	Voss
Buckley	Flanagan	Hurd	Oliver	Waddell
Burhyte	Foley J A	Huth	Parker	Wainwright
Burns	Fowler	Jacobs	Patton	Walters
Burzynski	Francis	Keller	Phillips	Waters
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Garly	Lee	Prince	Weimert
Colné	Garbe	Lewis	Ralston	Wells
Conklin	Geoghagan	Loos	Reece	Whitley
Conrady	Glore	Lowe	Robinson	Whitney F G
Croak	Gluck	Lupton	Rogers	Whitney G H
Cunningham	Glynn	Maher	Schmidt	Winters
Cuvillier	Goldberg	Mallon	Schoeneck	Wood
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2433) entitled "An act to amend chapter four hundred and seventy-nine of the Laws of nineteen hundred and three, entitled 'An act for the improvement and repair of streets and roads in Yonkers that have existed as public streets for twenty years,' and to issue bonds for the payment thereof" (Int. No. 1739), was read the second time.

On motion of Mr. Haines, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2157) entitled "An act to authorize the grant by the city of Yonkers to the New York Central and Hudson River Railroad Company for railroad purposes of a portion of the lands granted to the city of Yonkers by chapter five hundred and sixty-two of the Laws of eighteen hundred and ninety-nine" (Int. No. 1598), was read the second time.

On motion of Mr. Haines, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2407) entitled "An act to amend chapter four hundred and seventy-three of the Laws of nineteen hundred and six, with relation to salaries of officers in second class cities" (Int. No. 1713), was read the second time.

On motion of Mr. Haines, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1833) entitled "An act to authorize the city of Utica to borrow money for the purpose of erecting and equipping a new fire station in the twelfth ward of the city" (Int. No. 1432), was read the second time.

On motion of Mr. Hart, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2410) entitled "An act to amend the Forest, Fish and Game Law, in relation to the transportation of the carcasses and venison of domesticated deer" (Int. No. 1716), was read the second time.

On motion of Mr. Hooper, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2452) entitled "An act to amend the Agricultural Law, relative to the destruction of animals and disposal of their carcasses" (Int. No. 1744), was read the second time.

On motion of Mr. Matthews, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2414) entitled "An act to amend section one hundred and ninety-three of chapter two hundred and seventy-five of the Laws of eighteen hundred and ninety-nine, entitled 'An act to revise the charter of the city of Gloversville,' in relation to the purchase of school sites, and the erection and enlargement of school buildings; tax elections; the borrowing of money and issue and sale of bonds" (Int. No. 1720), was read the second time.

On motion of Mr. Mills, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2336) entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' relating to the official printing of said city" (Int. No. 1694), was read the second time.

On motion of Mr. O'Brian, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2289) entitled "An act to amend the Public Health Law, in relation to adulteration and misbranding of foods" (Int. No. 1663), having been announced for a second reading,

On motion of Mr. Prentice, and by unanimous consent, said bill was ordered placed on the second reading calendar for Friday next.

The bill (No. 2238) entitled "An act to limit the time within which actions may be brought for the removal of or for damages for the erection or maintenance of bay windows or ornamental projections in the city of New York" (Int. No. 1647), having been announced for a second reading,

On motion of Mr. Prentice, and by unanimous consent, said bill was ordered placed on the second reading calendar for Friday next.

The bill (No. 2416) entitled "An act empowering the sinking fund commission of the city of New York to vacate and cancel certain assessments for public improvements upon the real property of the church of Saint Nicholas Tolentine of the borough of the Bronx" (Int. No. 1722), was read the second time.

On motion of Mr. Sheridan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2291) entitled "An act to amend the Town Law, in relation to special meetings of town boards" (Int. No. 1666), was read the second time.

On motion of Mr. C. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2455) entitled "An act for the relief of the Chapin Home for the Aged and Infirm, to authorize a sale, grant and conveyance of certain property from the city of New York to said the Chapin Home for the Aged and Infirm, and to authorize the sale, grant, conveyance or lease of the property by the Chapin Home for the Aged and Infirm" (Int. No. 1747), was read the second time.

On motion of Mr. Stanton, said bill was placed on the order of third reading.

On motion of Mr. Stanton, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislature days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Sinclair
Apgar	Dowling	Hamilton	Miller	Smith A E
Averill	Draper	Hammond	Mills	Smith C
Baldwin	Dudley	Hamn	Mooney	Smith Myron
Baumann	Duell	Harawitz	Moreland	Staley
Blue	Eggleston	Harper	Morgan	Stern
Bohan	Eichhorn	Harris	Murphy C F	Stratton
Boshart	Farrell	Hart	Nevins	Surplless
Brady	Ferguson	Hoey	Northrup	Todd
Brough	Feth	Holmes	Norton	Volk
Brown	Filley	Hubbs	O'Brian	Voss
Buckley	Flanagan	Hurd	Oliver	Waddell
Burhyte	Foley J A	Huth	Parker	Wainwright
Burns	Fowler	Jacobs	Patton	Walters
Burzynski	Francis	Keller	Phillips	Waters
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Ganly	Lee	Prince	Weimert
Colné	Garbe	Lewis	Ralston	Wells
Conklin	Geoghagan	Loos	Reece	Whitley
Conrady	Glore	Lowe	Robinson	Whitney F G
Croak	Gluck	Lupton	Rogers	Whitney G H
Cunnnigham	Glynn	Maher	Schmidt	Winters
Cuvillier	Goldberg	Mallon	Schoeneck	Wood
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2078) entitled "An act to amend the Navigation Law, relative to the deposit of dead animals, and rafting in Lake George" (Int. No. 1565), was read the second time.

On motion of Mr. Waddell, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2417) entitled "An act to amend the Village Law, relative to acquisition of lands for parks and squares" (Int. No. 1723), was read the second time.

On motion of Mr. Wainwright, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2457) entitled "An act to enable and empower the village of Rye, in the county of Westchester, to expend for the purchase and acquisition of real property within the territorial limits of the said village, for a public park, a sum of money not exceeding two and one-half per centum of the value of the taxable property of the village, as appears by the last preceding assessment-roll, and to establish, manage and maintain such park" (Int. No. 1749), was read the second time.

On motion of Mr. Wainwright, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1856) entitled "An act to amend section six of article one of the Election Law, being chapter six of the general laws" (Int. No. 1451), was read the second time.

On motion of Mr. Glore, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2345) entitled "An act to amend the Membership Corporation Law, relative to the incorporation of bar associations" (Int. No. 1697), was read the second time.

On motion of Mr. O'Brian, said bill was placed on the order of third reading.

On motion of Mr. O'Brian, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Sinclair
Apgar	Dowling	Hamilton	Miller	Smith A E
Averill	Draper	Hammond	Mills	Smith C
Baldwin	Dudley	Hamn	Mooney	Smith Myron
Baumann	Duell	Harawitz	Moreland	Staley
Blue	Egg'eston	Harper	Morgan	Stern
Bohan	Eichhorn	Harris	Murphy C F	Stratton

Boshart	Farrell	Hart	Nevins	Surpless
Brady	Ferguson	Hoey	Northrup	Todd
Brough	Feth	Holmes	Norton	Volk
Brown	Filley	Hubbs	O'Brian	Voss
Buckley	Flanagan	Hurd	Oliver	Waddell
Burhyte	Foley J A	Huth	Parker	Wainwright
Burns	Fowler	Jacobs	Patton	Walters
Burzynski	Francis	Keller	Phillips	Waters
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Ganly	Lee	Prince	Weimert
Colné	Garbe	Lewis	Ralston	Wells
Conklin	Geoghagan	Loos	Reece	Whitley
Conrady	Glore	Lowe	Robinson	Whitney F G
Croak	Gluck	Lupton	Rogers	Whitney G H
Cunningham	Glynn	Maher	Schmidt	Winters
Cuvillier	Goldberg	Mallon	Schoeneck	Wood
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1741) entitled "An act to amend section twenty-one of the Civil Service Law, in relation to power of removal" (Int. No. 1370), was read the second time.

On motion of Mr. C. F. Murphy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1799) entitled "An act to amend chapter three of the general laws, known as the Civil Service Law" (Int. No. 230), having been announced for a second reading,

On motion of Mr. Prentice, and by unanimous consent, said bill was ordered placed on the second reading calendar for Friday next.

The bill (No. 2401) entitled "An act to amend the Primary Election Law, generally" (Int. No. 1630), having been announced for a second reading,

On motion of Mr. Prentice, and by unanimous consent, said bill was ordered placed on the second reading calendar for Friday next.

The bill (No. 2347) entitled "An act to amend chapter six hundred and five of the Laws of eighteen hundred and ninety-eight, entitled 'An act to incorporate the Genesee River Company, and to authorize the said company to construct and use a dam or reservoir near Portageville for improving and preserving the public health, checking floods, furnishing water for the enlarged Erie canal and for municipal purposes, and developing,

utilizing and disposing of the waters and water power of said river and its tributaries above and below said dam or reservoir,' generally" (Int. No. 1699), was read the second time.

On motion of Mr. Schoeneck, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1490) entitled "An act to amend the Civil Service Law, in respect to the registration of laborers" (Int. No. 1238), having been announced for a second reading,

On motion of Mr. Prentice, and by unanimous consent, said bill was ordered placed on the second reading calendar for Friday next.

The Senate bill (No. 1073) entitled "An act to amend sections three, four, eight and ten of chapter five hundred and fifty-three of the Laws of eighteen hundred and ninety-five, entitled 'An act in relation to the Supreme Court in the first judicial district and the Appellate Division thereof in the first department,' as amended by chapter five hundred and seventy-two of the Laws of eighteen hundred and ninety-eight, chapter four hundred and ninety of the Laws of nineteen hundred, and chapter six hundred and forty-three of the Laws of nineteen hundred and six, and to repeal chapter five hundred and nineteen of the Laws of nineteen hundred and four" (Rec. No. 240), having been announced for second reading,

Mr. Francis moved that said bill be recommitted to the committee on the judiciary, with instructions to report the same forthwith amended as follows:

Page 2, line 11, before the word "five" insert the words "fixed by the justices of the said appellate division, or a majority of them, at an amount not to exceed".

Page 2, line 17, strike out the words "city and".

Page 3, line 2, strike out the words "city and".

Page 5, line 6, strike out the words "city and".

Page 5, line 16, strike out the words "city and".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the second time, and, on motion of Mr. Francis, was ordered reprinted and placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 1219) entitled "An act to amend chap-

ter seven of the Laws of nineteen hundred and four, entitled 'An act to revise, amend and consolidate the several acts relating to the village of Norwich, and to repeal certain acts and parts of acts,' in relation to the paid police force" (Rec. No. 264), was read the second time.

On motion of Mr. Stratton, said bill was placed on the order of third reading.

On motion of Mr. Stratton, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Sinclair
Apgar	Dowling	Hamilton	Miller	Smith A E
Averill	Draper	Hammond	Mills	Smith C
Baldwin	Dudley	Hamn	Mooney	Smith Myron
Baumann	Duell	Harawitz	Moreland	Staley
Blue	Eggleston	Harper	Morgan	Stern
Bohan	Eichhorn	Harris	Murphy C F	Stratton
Boshart	Farrell	Hart	Nevins	Surpless
Brady	Ferguson	Hoey	Northrup	Todd
Brough	Feth	Holmes	Norton	Volk
Brown	Filley	Hubbs	O'Brian	Voss
Buckley	Flanagan	Hurd	Oliver	Waddell
Burhyte	Foley J A	Huth	Parker	Wainwright
Burns	Fowler	Jacobs	Patton	Walters
Burzynski	Francis	Keller	Phillips	Waters
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Ganly	Lee	Prince	Weimert
Colné	Garbe	Lewis	Ralston	Wells
Conklin	Geoghagan	Loos	Reece	Whitley
Conrady	Glore	Lowe	Robinson	Whitney F G
Croak	Gluck	Lupton	Rogers	Whitney G H
Cunningham	Glynn	Maher	Schmidt	Winters
Cuvillier	Goldberg	Mallon	Schoeneck	Wood
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 442) entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relative to the duties and powers of clerks" (Rec. No. 65), having been announced for a second reading,

On motion of Mr. Prentice, and by unanimous consent, said bill was ordered placed on the second reading calendar for Friday next.

The Senate bill (No. 1115) entitled "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' " (Int. No. 214), was read the second time.

On motion of Mr. Wainwright, said bill was placed on the order of third reading.

The Senate bill (No. 1017) entitled "An act authorizing the audit and allowance of the claim of John J. Scannell against the city of New York, for his costs, counsel fees and expenses paid in successfully defending himself against certain indictments filed against him during his term of office as fire commissioner in said city" (Rec. No. 184), was read the second time.

On motion of Mr. Oliver, said bill was placed on the order of third reading.

The Senate bill (No. 830) entitled "An act to amend the Greater New York charter, in relation to the presentation of claims against the city" (Rec. No. 155), was read the second time.

On motion of Mr. Farrell, said bill was placed on the order of third reading.

The Senate bill (No. 1274) entitled "An act to amend chapter three hundred of the Laws of nineteen hundred and four, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls'" (Rec. No. 275), was read the second time.

On motion of Mr. C. F. Foley, said bill was placed on the order of third reading.

The Senate returned the Assembly bill (No. 1296, Senate reprint No. 1348, Int. No. 1091) entitled "An act prohibiting the

board of supervisors of the county of Madison from changing the site and location of the Madison county buildings and offices when the site and location of the same shall be designated and approved by a majority of the electors of said county," with a message that they have concurred in the passage of the same, with the following amendments:

Page 1, line 2, after the words "in favor of" strike out all down to and including the word "for", line 3.

Same page, line 4, commencing with "and" strike out all down to and including the word "offices", line 6.

Mr. Burhyte moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Sinclair
Apgar	Dowling	Hamilton	Miller	Smith A E
Averill	Draper	Hammond	Mills	Smith C
Baldwin	Dudley	Hamn	Mooney	Smith Myron
Baumann	Duell	Harawitz	Moreland	Staley
Blue	Eggleston	Harper	Morgan	Stern
Bohan	Eichhorn	Harris	Murphy C F	Stratton
Boshart	Farrell	Hart	Nevins	Surpless
Brady	Ferguson	Hoey	Northrup	Todd
Brough	Feth	Holmes	Norton	Volk
Brown	Filley	Hubbs	O'Brian	Voss
Buckley	Flanagan	Hurd	Oliver	Waddell
Burhyte	Foley J A	Huth	Parker	Wainwright
Burns	Fowler	Jacobs	Patton	Walters
Burzynski	Francis	Keller	Phillips	Waters
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Ganly	Lee	Prince	Weimert
Colné	Garbe	Lewis	Ralston	Wells
Conklin	Geoghagan	Loos	Reece	Whitley
Conrady	Glore	Lowe	Robinson	Whitney F G
Croak	Gluck	Lupton	Rogers	Whitney G H
Cunningham	Glynn	Maher	Schmidt	Winters
Cuvillier	Goldberg	Mallon	Schoeneck	Wood
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1563, Senate reprint No. 1339, Int. No. 1270) entitled "An act relating to the public printing of Clinton county," with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 2, after "resolution" strike out all down to and including "designate", line 4, same page, and insert in lieu thereof "except as otherwise provided, designate two newspapers published in said county, which papers shall represent respectively each of the two principal political parties into which the electors of said county are divided, in which shall be published".

On page 2, line 3, strike out all of § 3.

Page 2, line 3, strike out "4" and insert in lieu thereof "3".

Mr. Dominy moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Merritt	Shuttleworth
Apgar	Dowling	Hammond	Miller	Sinclair
Averill	Draper	Hamn	Mills	Smith A E
Baldwin	Dudley	Harawitz	Mooney	Smith C
Baumann	Duell	Harper	Moreland	Staley
Blue	Eggleston	Harris	Morgan	Stern
Bohan	Eichhorn	Hart	Murphy C F	Stratton
Boshart	Farrell	Hoey	Nevins	Surpluss
Brady	Ferguson	Holmes	Northrup	Todd
Brough	Feth	Hubbs	Norton	Volk
Brown	Filley	Hurd	O'Brian	Voss
Buckley	Flanagan	Huth	Oliver	Waddell
Burhyte	Foley J A	Jacobs	Parker	Wainwright
Burns	Fowler	Keller	Patton	Walters
Burzynski	Francis	Lansing	Phillips	Waters
Cole	Frisbie	Lee	Prentice	Weber
Collins	Ganly	Lewis	Prince	Weimert
Colné	Garbe	Loos	Ralston	Wells
Conklin	Geoghagan	Lowe	Reece	Whitley

Conrady	Glore	Lupton	Robinson	Whitney F G
Croak	Gluck	Maher	Rogers	Whitney G H
Cunningham	Glynn	Mallon	Schmidt	Winters
Cuvillier	Green	Marlatt	Schoeneck	Wood
De Groot	Gunderman	Matthews	Schwegler	Yale
Dobbs	Hackett	McCue	Sheridan	Young
Dominy	Haines			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1223, Senate reprint No. 1337, Int. No. 216) entitled "An act to amend the Agricultural Law, in relation to the sale at retail of renovated butter," with a message that they have concurred in the passage of the same, with the following amendments:

On page three, line 16, before "renovated" insert (").

Same page, line 17, after the first word "butter" insert (").

Same page and line, after the word "or" enclose in quotation marks the words "process butter".

Same page, line 21, insert a quotation mark after the first word "butter".

Same page and line, also insert a quotation mark before "process".

Mr. Matthews moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Miller	Sinclair
Apgar	Dowling	Hammond	Mills	Smith A E
Averill	Draper	Hamn	Mooney	Smith C
Baldwin	Dudley	Harawitz	Moreland	Smith Myron
Baumann	Duell	Harper	Morgan	Staley
Blue	Eggleston	Harris	Murphy C F	Stern
Bohan	Eichhorn	Hart	Nevins	Stratton
Boshart	Farrell	Hoey	Northrup	Surpless
Brady	Ferguson	Holmes	Norton	Todd
Brough	Feth	Hub's	O'Brian	Volk

Brown	Filley	Hurd	Oliver	Voss
Buckley	Flanagan	Huth	Parker	Waddell
Burhyte	Foley J A	Jacobs	Patton	Wainwright
Burns	Fowler	Keller	Phillips	Walters
Burzynski	Francis	Lansing	Prentice	Waters
Cole	Frisbie	Lee	Prince	Weber
Collins	Ganly	Lewis	Ralston	Weimert
Colné	Garbe	Loos	Reece	Wells
Conklin	Glore	Lowe	Robinson	Whitley
Conrady	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallen	Schoeneck	Winters
Cuvillier	Green	Marlatt	Schwegler	Wood
De Groot	Gunderman	Matthews	Sheridan	Yale
Dobbs	Hackett	McCue	Shuttleworth	Young
Dominy	Haines	Merritt		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1533, Senate reprint No. 1314, Int. No. 681) entitled "An act to amend the Penal Code, relative to expenditures at elections," with a message that they have concurred in the passage of the same, with the following amendment:

On page 1, line 9, after "person" insert "except the members of marching clubs in political campaigns and".

Mr. Phillips moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	McCue	Shuttleworth
Apgar	Dowling	Hamilton	Merritt	Sinclair
Averill	Draper	Hammond	Miller	Smith A E
Baldwin	Dudley	Hamn	Mills	Smith C
Baumann	Duell	Harawitz	Mooney	Staley
Blue	Eggleston	Harper	Moreland	Stern
Bohan	Eichhorn	Harris	Morgan	Stratton
Boshart	Farrell	Hart	Murphy C F	Surpless
Brady	Ferguson	Hoeey	Nevins	Todd

Brough	Feth	Holmes	Northrup	Volk
Brown	Filley	Hubbs	Norton	Voss
Buckley	Flanagan	Hurd	O'Brian	Waddell
Burhyte	Foley J A	Huth	Oliver	Wainwright
Burns	Fowler	Jacobs	Parker	Walters
Burzynski	Francis	Keller	Patton	Waters
Cole	Frisbie	Lansing	Phillips	Weber
Collins	Ganly	Lee	Prentice	Weimert
Colné	Garbe	Lewis	Prince	Wells
Conklin	Geoghagan	Loos	Ralston	Whitley
Conrady	Glore	Lowe	Reece	Whitney F G
Croak	Gluck	Lupton	Robinson	Whitney G H
Cunningham	Glynn	Maher	Rogers	Winters
Cuvillier	Goldberg	Mallon	Schmidt	Wood
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

A message was received from the Senate, in the words following:

IN SENATE, April 24, 1907.

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 369, Senate reprint No. 1341, Rec. No. 41), entitled "An act to amend chapter five hundred and eighty of the laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' relative to fees payable to clerks."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Page, and by unanimous consent, the same was amended as follows:

Page 2, line 5, strike out the words "fifty cents" and insert the words "one dollar".

Same page, line 7, strike out the brackets before and after the period. Also strike out the balance of line 7, and all of line 8.

Said bill, as amended, was reprinted, re-engrossed, and, having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

LAFAYETTE B. GLEASON,

Clerk.

Said bill having been announced, Mr. Francis moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill,

and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	McCue	Shuttleworth
Apgar	Dowling	Hamilton	Merritt	Sinclair
Averill	Draper	Hammond	Miller	Smith A E
Baldwin	Dudley	Hamn	Mills	Smith C
Baumann	Duell	Harawitz	Mooney	Staley
Blue	Eggleston	Harper	Moreland	Stern
Bohan	Eichhorn	Harris	Morgan	Stratton
Boshart	Farrell	Hart	Murphy C F	Surpless
Brady	Ferguson	Hoey	Nevins	Todd
Brough	Feth	Holmes	Northrup	Volk
Brown	Filley	Hubbs	Norton	Voss
Buckley	Flanagan	Hurd	O'Brian	Waddell
Burhyte	Foley J A	Huth	Oliver	Wainwright
Burns	Fowler	Jacobs	Parker	Walters
Burzynski	Francis	Keller	Patton	Waters
Cole	Frisbie	Lansing	Phillips	Weber
Collins	Ganly	Lee	Prentice	Weimert
Colné	Garbe	Lewis	Prince	Wells
Conklin	Glore	Loos	Ralston	Whitley
Conrady	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Robinson	Whitney G H
Cunningham	Goldberg	Maher	Rogers	Winters
Cuvillier	Green	Mallon	Schmidt	Wood
De Groot	Gunderman	Marlatt	Schwegler	Yale
Dobbs	Hackett	Matthews	Sheridan	Young
Dominy				

Said bill, as amended, was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	McCue	Shuttleworth
Apgar	Dowling	Hamilton	Merritt	Sinclair
Averill	Draper	Hammond	Miller	Smith A E
Baldwin	Dudley	Hamn	Mills	Smith C

Baumann	Duell	Harawitz	Mooney	Staley
Blue	Eggleston	Harper	Moreland	Stern
Bohan	Eichhorn	Harris	Morgan	Stratton
Boshart	Farrell	Hart	Murphy C F	Surpless
Brady	Ferguson	Hoey	Nevins	Todd
Brough	Feth	Holmes	Northrup	Volk
Brown	Filley	Hubbs	Norton	Voss
Buckley	Flanagan	Hurd	O'Brian	Waddell
Burhyte	Foley J A	Huth	Oliver	Wainwright
Burns	Fowler	Jacobs	Parker	Walters
Burzynski	Francis	Keller	Patton	Waters
Cole	Frisbie	Lansing	Phillips	Weber
Collins	Ganly	Lee	Prentice	Weimert
Colné	Garbe	Lewis	Prince	Wells
Conklin	Glore	Loos	Ralston	Whitley
Conrady	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Robinson	Whitney G H
Cunningham	Goldberg	Maher	Rogers	Winters
Cuvillier	Green	Mallon	Schmidt	Wood
De Groot	Gunderman	Marlatt	Schwegler	Yale
Dobbs	Hackett	Matthews	Sheridan	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill and, as amended, have again passed the same.

A message was received from the Senate, in the words following:

IN SENATE, *April 24, 1907.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 705, Senate reprint No. 1315, Rec. No. 127), entitled "An act to authorize the board of trustees of the village of White Plains to make and enforce ordinances regarding the construction and location of buildings in said village and to appoint a building inspector."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Carpenter, and by unanimous consent, the same was amended as follows:

Amend title so as to read: "An act to authorize the board of trustees of the village of White Plains to make and enforce ordinances regarding the construction and location of buildings in said village and to appoint a building inspector."

Said bill, as amended, was reprinted, re-engrossed, and, having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

LAFAYETTE B. GLEASON,

*Clerk.*

Said bill having been announced, Mr. Haines moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	McCue	Shuttleworth
Apgar	Dowling	Hamilton	Merritt	Sinclair
Averill	Draper	Hammond	Miller	Smith A E
Baldwin	Dudley	Hamn	Mills	Smith C
Baumann	Duell	Harawitz	Mooney	Staley
Blue	Eggleston	Harper	Moreland	Stern
Bohan	Eichhorn	Harris	Morgan	Stratton
Boshart	Farrell	Hart	Murphy C F	Surpless
Brady	Ferguson	Hoe	Nevins	Todd
Brough	Feth	Holmes	Northrup	Volk
Brown	Filley	Hubbs	Norton	Voss
Buckley	Flanagan	Hurd	O'Brian	Waddell
Burhyte	Foley J A	Huth	Oliver	Wainwright
Burns	Fowler	Jacobs	Parker	Walters
Burzynski	Francis	Keller	Patton	Waters
Cole	Frisbie	Lansing	Phillips	Weber
Collins	Ganly	Lee	Prentice	Weimert
Colné	Garbe	Lewis	Prince	Wells
Conklin	Glore	Loos	Ralston	Whitley
Conrady	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Robinson	Whitney G H
Cunningham	Goldberg	Maher	Rogers	Winters
Cuvillier	Green	Mallon	Schmidt	Wood
De Groot	Gunderman	Marlatt	Schwegler	Yale
Dobbs	Hackett	Matthews	Sheridan	Young
Dominy				

Said bill, as amended, was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	McCue	Shuttleworth
Apgar	Dowling	Hamilton	Merritt	Sinclair
Averill	Draper	Hammond	Miller	Smith A E
Baldwin	Dudley	Hamn	Mills	Smith C

Baumann	Duell	Harawitz	Mooney	Staley
Blue	Eggleston	Harper	Moreland	Stern
Bohan	Eichhorn	Harris	Morgan	Stratton
Boshart	Farrell	Hart	Murphy C F	Surpless
Brady	Ferguson	Hoey	Nevins	Todd
Brough	Feth	Holmes	Newton	Volk
Brown	Filley	Hubbs	Norton	Voss
Buckley	Flanagan	Hurd	O'Brian	Waddell
Burhyte	Foley J A	Huth	Oliver	Wainwright
Burns	Fowler	Jacobs	Parker	Walters
Burzynski	Francis	Keller	Patton	Waters
Cole	Frisbie	Lansing	Phillips	Weber
Collins	Ganly	Lee	Prentice	Weimert
Colné	Garbe	Lewis	Prince	Wells
Conklin	Glore	Loos	Ralston	Whitley
Conrady	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Robinson	Whitney G H
Cunningham	Guldberg	Maher	Rogers	Winters
Cuvillier	Green	Mallon	Schmidt	Wood
De Groot	Gunderman	Marlatt	Schwegler	Yale
Dobbs	Hackett	Matthews	Sheridan	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same.

A message was received from the Senate, in the words following:

IN SENATE, April 24, 1907.

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 645, Senate reprint No. 1340, Rec. No. 128), entitled "An act to authorize the village of White Plains to borrow money for the purpose of erecting a garbage incineration plant for said village."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Carpenter, and by unanimous consent, the same was amended as follows:

Page 2, in lines 7 and 8, strike out the words "The said bonds shall be exempt from taxation".

Said bill, as amended, was reprinted, re-engrossed, and, having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

LAFAYETTE B. GLEASON,  
Clerk.

Said bill having been announced, Mr. Haines moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill,

and it was determined, in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	McCue	Shuttleworth
Apgar	Dowling	Hamilton	Merritt	Sinclair
Averill	Draper	Hammond	Miller	Smith A E
Baldwin	Dudley	Hamn	Mills	Smith C
Baumann	Duell	Harawitz	Mooney	Staley
Blue	Eggleston	Harper	Moreland	Stern
Bohan	Eichhorn	Harris	Morgan	Stratton
Boshart	Farrell	Hart	Murphy C F	Surplless
Brady	Ferguson	Hoey	Nevins	Todd
Brough	Feth	Holmes	Northrup	Volk
Brown	Filley	Hubbs	Norton	Voss
Buckley	Flanagan	Hurd	O'Brian	Waddell
Burhyte	Foley J A	Huth	Oliver	Wainwright
Burns	Fowler	Jacobs	Parker	Walters
Burzynski	Francis	Keller	Patton	Waters
Cole	Frisbie	Lansing	Phillips	Weber
Collins	Ganly	Lee	Prentice	Weimert
Colné	Garbe	Lewis	Prince	Wells
Conklin	Glore	Loos	Ralston	Whitley
Conrady	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Robinson	Whitney G H
Cunningham	Goldberg	Maher	Rogers	Winters
Cuvillier	Green	Mallon	Schmidt	Wood
De Groot	Gunderman	Marlatt	Schwegler	Yale
Dobbs	Hackett	Matthews	Sheridan	Young
Dominy				

Said bill, as amended, was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	McCue	Shuttleworth
Apgar	Dowling	Hamilton	Merritt	Sinclair
Averill	Draper	Hammond	Miller	Smith A E
Baldwin	Dudley	Hamn	Mills	Smith C
Baumann	Duell	Harawitz	Mooney	Staley

Blue	Eggleston	Harper	Moreland	Stern
Bohan	Eichhorn	Harris	Morgan	Stratton
Boshart	Farrell	Hart	Murphy C F	Surpless
Brady	Ferguson	Hoey	Nevins	Todd
Brough	Feth	Holmes	Northrup	Volk
Brown	Filley	Hubbs	Norton	Voss
Buckley	Flanagan	Hurd	O'Brian	Waddell
Burhyte	Foley J A	Huth	Oliver	Wainwright
Burns	Fowler	Jacobs	Parker	Walters
Burzynski	Francis	Keller	Patton	Waters
Cole	Frisbie	Lansing	Phillips	Weber
Collins	Ganly	Lee	Prentice	Weimert
Colné	Garbe	Lewis	Prince	Wells
Conklin	Glore	Loos	Ralston	Whitley
Conrady	Gluck	Lowe	Reece	Whitney F G
Croak	Glynn	Lupton	Robinson	Whitney G H
Cunningham	Goldberg	Maher	Rogers	Winters
Cuvillier	Green	Mallon	Schmidt	Wood
De Groot	Gunderman	Marlatt	Schwegler	Yale
Dobbs	Hackett	Matthews	Sheridan	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same.

Mr. Rogers offered for the consideration of the House a resolution, in the words following:

Resolved, That the resolution adopted on April 17, 1907, fixing a special hour of meeting and adjournment for Tuesdays and Wednesdays and limiting debate be, and the same is, hereby rescinded, so far as it provides hours of meeting and adjournment on Tuesdays and Wednesdays.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	McCue	Sheridan
Apgar	Dowling	Hamilton	Merritt	Sinclair
Averill	Draper	Hammond	Miller	Smith A E
Baldwin	Dudley	Hamn	Mills	Smith C
Baumann	Duell	Harawitz	Mooney	Staley
Blue	Eggleston	Harper	Moreland	Stern
Bohan	Eichhorn	Harris	Morgan	Stratton
Boshart	Farrell	Hart	Murphy C F	Surpless

Brady	Ferguson	Hoey	Nevins	Todd
Brough	Feth	Holmes	Northrup	Volk
Brown	Filley	Hubbs	Norton	Voss
Buckley	Flanagan	Hurd	O'Brian	Waddell
Burhyte	Foley J A	Huth	Oliver	Wainwright
Burns	Fowler	Jacobs	Parker	Walters
Burzynski	Francis	Keller	Patton	Waters
Cole	Frisbie	Lansing	Phillips	Weber
Collins	Ganly	Lee	Prentice	Weimert
Colné	Garbe	Lewis	Prince	Wells
Conklin	Geoghagan	Loos	Ralston	Whitley
Conrad	Glore	Lowe	Reece	Whitney F G
Croak	Gluck	Lupton	Robinson	Whitney G H
Cunningham	Glynn	Maher	Rogers	Winters
Cuvillier	Goldberg	Mallon	Schmidt	Wood
De Groot	Green	Marlatt	Schoeneck	Yale
Dobbs	Gunderman	Matthews	Schwegler	Young
Dominy	Hackett			

Mr. Frisbie offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 1131, Int. No. 453), entitled "An act to amend chapter three hundred and seventy-one of the laws of nineteen hundred and three, entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady,' relative to the boundaries of the several wards of the city of Schenectady and to increasing the number thereof and defining the boundaries thereof, and election of ward officers and appointing of election officers," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. C. F. Murphy offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1635, Senate reprint No. 1261, Int. No. 1323), entitled "An act in relation to the county court of Kings county and the appointment of a chief clerk and deputies and assistants therein," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Wells offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 791, Int. No. 725), entitled "An act to provide for the consolidation of the Jewish protectory and aid society and of the society for the aid of Jewish prisoners, and to define the powers of the consolidated corporation," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. F. G. Whitney offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1331, Int. No. 836), entitled "An act to amend chapter sixty-three of the laws of nineteen hundred and two, entitled 'An act to incorporate the city of Fulton,' relating to limitation of actions against the city," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, *April 24, 1907.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 939, Rec. No. 172), entitled "An act to amend chapter sixty-six of the laws of nineteen hundred and six, entitled 'An act to make the office of sheriff of the county of Warren a salaried office,' in relation to the payment of subordinates and the number of deputies," for the purpose of amendment.

By order of the Senate,

LAFAYETTE B. GLEASON,  
*Clerk.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the Assembly bill (No. 1296, Senate reprint No. 1348, Int. No. 1091) entitled "An act prohibiting the board of supervisors of the county of Madison from changing the site and location of the Madison county buildings and offices when the site and location of the same shall be designated and approved by a majority of the electors of said county."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 791, Int. No. 725) entitled "An act to provide for the consolidation of the Jewish Protectory and Aid Society and of the Society for the Aid of Jewish Prisoners, and to define the powers of the consolidated corporation," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication was received from Hon. J. W. Clute, mayor of the city of Schenectady, returning Assembly bill (No. 2002, Int. No. 1128) entitled "An act to establish a retirement fund for the pensioning retired school teachers, superintendents, supervisors and heads of high school departments of the public schools of the city of Schenectady, and to regulate the collection, management and disbursement thereof," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. J. W. Clute, mayor of the city of Schenectady, returning Assembly bill (No. 1995, Int. No. 1043), entitled "An act to amend chapter three hundred and seventy-one of the Laws of nineteen hundred and three, entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady,' relative to City Court constables," with a message that said mayor and the common council of said

city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. John K. Smith, mayor of the city of Oswego, returning Assembly bill (No. 2003, Int. No. 1211), entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' generally," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. John K. Smith, mayor of the city of Oswego, returning Assembly bill (No. 1845, Int. No. 1444), entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' in relation to salaries of clerk, police officers, policemen and janitors," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. William J. Rockefeller, mayor of the city of Rensselaer, returning Assembly bill (No. 1073, Int. No. 940), entitled "An act to amend chapter three hundred and fifty-nine of the Laws of eighteen hundred and ninety-seven, entitled 'An act to incorporate the city Rensselaer,' relative to criminal expenses chargeable to the county of Rensselaer," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. William T. Rockefeller, mayor of the city of Rensselaer, returning Assembly bill (No. 1722, Int. No. 843), entitled "An act to amend chapter three hundred and fifty-nine of the Laws of eighteen hundred and ninety-seven, entitled 'An act to incorporate the city of Rensselaer,' in relation to payment of the salaries of policemen and

meetings of police commissioners," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 529, Int. No. 513) entitled "An act to enable the police commissioner of the city of New York to rehear and determine the charges against Richard Dillon, a policeman of the second grade, for reinstatement in said department," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. G. W. Murphy, of Sullivan, was excused until Monday evening next.

On motion of Mr. Rogers, the House adjourned.

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## FRIDAY, APRIL 26, 1907.

The House met pursuant to adjournment.

Prayer by Rev. Edward E. Stuckert.

On motion of Mr. Rogers, the reading of the journal of yesterday was dispensed with, and the same was approved.

Mr. Charles Smith gives notice that he request that Senate bill (No. 1201, Rec. No. 599) entitled "An act to amend the State Finance Law, in relation to the duties of State officers concerning receipts and expenditures," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Moreland gives notice that he requests that Senate bill (No. 1191, Rec. No. 917) entitled "An act to amend section three hundred and twenty-one of article fifteen of the General Tax Law, in relation to the tax on transfers of stock," a copy of which is hereto annexed, be made a special order, and asks that his request

be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Moreland gives notice that he requests that Senate bill (No. 1190, Rec. No. 916) entitled "An act to amend the Tax Law, in relation to the payment of interest on refunds of transfer taxes in certain cases," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Dominy gives notice that he requests that Senate bill (No. 1035, Rec. No. 834) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section seven of article seven of the Constitution," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Charles F. Murphy gives notice that he requests that Assembly bill (No. 1741, Int. No. 1370) entitled "An act to amend section twenty-one of the Civil Service Law, in relation to power of removal," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Schoeneck gives notice that he requests that Assembly bill (No. 2347, Int. No. 1699) entitled "An act to amend chapter six hundred and five of the Laws of eighteen hundred and ninety-eight, entitled 'An act to incorporate the Genesee River Company, and to authorize the said company to construct and use a dam or reservoir near Portageville for improving and preserving the public health, checking floods, furnishing water for the enlarged Erie canal and for municipal purposes, and developing, utilizing and disposing of the waters and water power of said river and its tributaries above and below said dam or reservoir,' generally," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Merritt gives notice that he requests that Assembly bill (No. 2406, Int. No. 1735) entitled "An act to amend the Legislative Law, generally," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Ferguson gives notice that he requests that Assembly bill (No. 2421, Int. No. 1727) entitled "An act to amend chapter five hundred and sixty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to incorporate the city of Little Falls,' relative to laying out, widening, altering or straightening streets, highways, alleys, lanes or public grounds," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Donnelly gives notice that he requests that Assembly bill (No. 1569, Int. No. 1276) entitled "An act to amend the Greater New York charter, in relation to salary of city marshals," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Schoeneck gives notice that he requests that Assembly bill (No. 2475, Int. No. 1665) entitled "An act authorizing an increase in the water storage capacity of Otisco lake and its use as a source of water supply," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Prentice gives notice that he requests that Assembly bill (No. 830, Int. No. 765) entitled "An act to amend the Penal Code by adding thereto a new section to be known as section four hundred and eleven-a, relative to the destruction of dangerous weapons," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

By unanimous consent, Mr. Blue introduced a bill entitled "An act to amend the Railroad Law, in relation to conductors and brakemen acting as policemen" (Int. No. 1815), which was read the first time and referred to the committee on railroads.

By unanimous consent, Mr. Haines introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to the number of concurring jurors necessary to render a verdict" (Int. No. 1816), which was read the first time and referred to the committee on codes.

By unanimous consent, Mr. Moreland introduced a bill entitled "An act to amend subdivision five of section thirty of chapter one hundred and twelve of the Laws of eighteen hundred and ninety-six, entitled 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same and to provide for local option, constituting chapter twenty-nine of the general laws,' in relation to persons to whom liquor shall not be sold or given away" (Int. No. 1817), which was read the first time and referred to the committee on excise.

By unanimous consent, Mr. Baldwin introduced a bill entitled "An act authorizing the Marcellus and Otisco Lake Railway Company and the Newark and Marion Railway Company to use locomotive steam power as a motive power" (Int. No. 1818), which was read the first time.

On motion of Mr. Baldwin, and by unanimous consent, said bill was read the second time and ordered to third reading and referred to the committee on railroads.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Allds (No. 1190, Rec. No. 311), entitled "An act to amend the Tax Law, in relation to the payment of interest on refunds of transfer taxes in certain cases."

Also, Senate bill introduced by Mr. Allds (No. 1191, Rec. No. 312), entitled "An act to amend section three hundred and twenty-one of article fifteen of the General Tax Law, in relation to the tax on transfers of stock," reported in favor of the passage of the same without amendment, and that he same be made special orders on second and third reading, immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made

special orders on second and third reading, immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Schoeneck (No. 2347, Int. No. 1699), entitled "An act to amend chapter six hundred and five of the Laws of eighteen hundred and ninety-eight, entitled 'An act to incorporate the Genesee River Company, and to authorize the said company to construct and use a dam or reservoir near Portageville for improving and preserving the public health, checking floods, furnishing water for the enlarged Erie canal and for municipal purposes, and developing, utilizing and disposing of the waters and water power of said river and its tributaries above and below said dam or reservoir,' generally."

Also, Assembly bill introduced by Mr. Prentice (No. 830, Int. No. 765), entitled "An act to amend the Penal Code by adding thereto a new section to be known as section four hundred and eleven-a, relative to the destruction of dangerous weapons," reported in favor of the passage of the same without amendment, and that the same be made a special order on third reading immediately, which report was agreed to, and said bills ordered made special orders on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Schoeneck (No. 2475, Int. No. 1665), entitled "An act authorizing an increase in the water storage capacity of Otisco lake and its use as a source of water supply."

Also, Assembly bill introduced by Mr. Ferguson (No. 2421, Int. No. 1727), entitled "An act to amend chapter five hundred and sixty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to incorporate the city of Little Falls,' relative to laying out, widening, altering or straightening streets, highways, alleys, lanes or public grounds."

Also, Assembly bill introduced by Mr. Donnelly (No. 1569, Int. No. 1276), entitled "An act to amend the Greater New York charter, in relation to salary of city marshals," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately

after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Merritt (No. 2406, Int. No. 1735), entitled "An act to amend the Legislative Law, generally," retaining its place on the order of third reading, reported in favor of the passage of the same, with the following amendments:

On page 5, line 25, after "clerk" insert "and to the assistant clerk to the committee on engrossed bills of the assembly, each".

On page 7, line 7, after "codes" insert "on railroads".

and that the same be reprinted, as amended, and re-engrossed, and that when it shall have been on the desks of the members three calendar days it be made a special order on third reading immediately, which report was agreed to, and said bill ordered reprinted, as amended, and re-engrossed, and when it shall have been on the desks of the members three calendar legislative days it be made a special order on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill introduced by Mr. Knapp (No. 1035, Rec. No. 300), entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section seven of article seven of the Constitution," reported in favor of the passage of the same, with the following amendments:

Page 1, line 12, strike out the letter "a" at end of line.

Page 2, strike out all of lines 1, 2 and 3.

and that the same be reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after consideration of the special orders on third reading theretofore reported, which report was agreed to, and said bill ordered reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill introduced by Mr. Armstrong (No. 1201, Rec. No. 260), entitled "An act to amend the State Finance Law, in relation to the duties of State officers concerning receipts and expenditures," reported in favor of the passage of the same, with the following amendment:

On line 6, of page 2, after the word "except" insert "the state fair commission and".

and that the same be reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after consideration of the special orders on third reading theretofore reported, which report was agreed to, and said bill ordered reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. C. F. Murphy (No. 1741, Int. No. 1370), entitled "An act to amend section twenty-one of the Civil Service Law, in relation to power of removal," reported the same with the following amendment:

On page 2, line 5, after the word "department" insert the following words: "and shall have served as such member for not less than three years prior to the time of such disbandment and shall have been, during the whole of such period, an actual resident of the city, town or village in which said volunteer fire department was located".

and requests that said bill be reprinted, as amended, and recommitted to said committee, which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. West, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend chapter one hundred and twenty of the Laws of eighteen hundred and eighty-six, entitled 'An act to revise

the charter of the city of Lockport,' relating to the police department of said city." (No. 2346, Int. No. 1698.)

"An act for the relief of the Chapin Home for the Aged and Infirm, to authorize a sale, grant and conveyance of certain property from the city of New York to said the Chapin Home for the Aged and Infirm, and to authorize the sale, grant, conveyance or lease of the property by the Chapin Home for the Aged and Infirm." (No. 2455, Int. No. 1747.)

"An act to amend the Greater New York charter, relative to the department of street cleaning." (No. 2388, Int. No. 435.)

"An act to amend the Membership Corporation Law, relative to the incorporation of bar associations." (No. 2345, Int. No. 1697.)

Mr. Speaker announced the special order, being the bill (No. 2421) entitled "An act to amend chapter five hundred and sixty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to incorporate the city of Little Falls,' relative to laying out, widening, altering or straightening streets, highways, alleys, lanes or public grounds." (Int. No. 1727.)

On motion of Mr. Ferguson, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 101

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hackett	Matthews	Smith A E
Apgar	Draper	Haines	McCue	Staley
Baldwin	Duell	Hamilton	Merritt	Stern
Baumann	Eagleton	Hammond	Miller	Stevenson
Blue	Eichhorn	Harawitz	Mills	Stratton
Bohan	Farrell	Harris	Morgan	Todd
Brady	Ferguson	Hart	Murphy C F	Volk
Brooks	Filley	Hastings	Northrup	Waddell
Brough	Flanagan	Hoey	Norton	Wagner
Buckley	Foley C F	Hooper	Oliver	Wainwright
Burhyte	Foley J A	Hurd	Patton	Walters

Burns	Francis	Huth	Phillips	Weber
Burzynski	Ganly	Jackson	Prentice	Weimert
Cole	Garbe	Keller	Prince	Wells
Collins	Geoghagan	Lee	Ralston	West
Conklin	Glore	Lewis	Robinson	Whitney G H
Croak	Gluck	Loos	Schmidt	Winters
Cunningham	Goldberg	Lupton	Schwegler	Wood
Cuvillier	Gray	Maher	Shuttleworth	Yale
Dobbs	Gunderman	Mance	Sinclair	Young
Dominy				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1569) entitled "An act to amend the Greater New York charter, in relation to salary of city marshals." (Int. No. 1276.)

On motion of Mr. Donnelly, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 101

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hackett	Matthews	Smith A E
Apgar	Draper	Haines	McCue	Staley
Baldwin	Duell	Hamilton	Merritt	Stern
Baumann	Eagleton	Hammond	Miller	Stevenson
Blue	Eichhorn	Harawitz	Mills	Stratton
Bohan	Farrell	Harris	Morgan	Todd
Brady	Ferguson	Hart	Murphy C F	Volk
Brooks	Filley	Hastings	Northrup	Waddell
Brough	Flanagan	Hoey	Norton	Wagner
Buckley	Foley C F	Hooper	Oliver	Wainwright
Burhyte	Foley J A	Hurd	Patton	Walters
Burns	Francis	Huth	Phillips	Weber
Burzynski	Ganly	Jackson	Prentice	Weimert
Cole	Garbe	Keller	Prince	Wells
Collins	Geoghagan	Lee	Ralston	West
Conklin	Glore	Lewis	Robinson	Whitney G H
Croak	Gluck	Loos	Schmidt	Winters
Cunningham	Goldberg	Lupton	Schwegler	Wood
Cuvillier	Gray	Maher	Shuttleworth	Yale
Dobbs	Gunderman	Mance	Sinclair	Young
Dominy				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2475) entitled "An act authorizing an increase in the water storage capacity of Otisco lake and its use as a source of water supply." (Int. No. 1665.)

On motion of Mr. Schoeneck, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

AYES 101

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hackett	Matthews	Smith A E
Apgar	Draper	Haines	McCue	Staley
Baldwin	Duell	Hamilton	Merritt	Stern
Baumann	Eagleton	Hammond	Miller	Stevenson
Blue	Eichhorn	Harawitz	Mills	Stratton
Bohan	Farrell	Harris	Morgan	Todd
Brady	Ferguson	Hart	Murphy C F	Volk
Brooks	Filley	Hastings	Northrup	Waddell
Brough	Flanagan	Hoe	Norton	Wagner
Buckley	Foley C F	Hooper	Oliver	Wainwright
Burhyte	Foley J A	Hurd	Patton	Walters
Burns	Francis	Huth	Phillips	Weber
Burzynski	Ganly	Jackson	Prentice	Weimert
Cole	Garbe	Keller	Prince	Wells
Collins	Geoghagan	Lee	Ralston	West
Conklin	Glore	Lewis	Robinson	Whitney G H
Croak	Gluck	Loos	Schmidt	Winters
Cunningham	Goldberg	Lupton	Schwegler	Wood
Cuvillier	Gray	Maher	Shuttleworth	Yale
Dobbs	Gundermann	Mance	Sinclair	Young
Dominy				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1190) entitled "An act to amend the Tax Law, in relation to the payment of interest on refunds of transfer taxes in certain cases." (Rec. No. 311.)

On motion of Mr. Stratton, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 100

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Gunderman	Mance	Sinclair
Apgar	Donnelly	Hackett	Matthews	Smith A E
Baldwin	Draper	Haines	McCue	Staley
Baumann	Duell	Hamilton	Merritt	Stern
Blue	Eagleton	Hammond	Miller	Stevenson
Bohan	Eichhorn	Harawitz	Mills	Stratton
Brady	Farrell	Harris	Morgan	Todd
Brooks	Ferguson	Hart	Murphy C F	Volk
Brough	Filley	Hastings	Northrup	Waddell
Buckley	Flanagan	Hoey	Norton	Wagner
Burhyte	Foley C F	Hooper	Oliver	Wainwright.
Burns	Foley J A	Hurd	Patton	Walters
Burzynski	Francis	Huth	Phillips	Weber
Cole	Ganly	Jackson	Prentice	Weimert
Collins	Garbe	Keller	Prince	Wells
Conklin	Geoghagan	Lee	Ralston	Whitney G H
Croak	Glore	Lewis	Robinson	Winters
Cunningham	Gluck	Loos	Schmidt	Wood
Cuvillier	Goldberg	Lupton	Schwegler	Yale
Dobbs	Gray	Maher	Shuttleworth	Young

Mr. Speaker announced the special order, being the Senate bill (No. 1191) entitled "An act to amend section three hundred and twenty-one of article fifteen of the General Tax Law, in relation to the tax on transfers of stock" (Rec. No. 312), having been announced for a second reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was made a special order on second and third reading for Monday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 2347) entitled "An act to amend chapter six hundred and five of the Laws of eighteen hundred and ninety-eight, entitled 'An act to incorporate the Genesee River Company, and to authorize the said company to construct and use a dam or reservoir near Portageville for improving and preserving the public health,

checking floods, furnishing water for the enlarged Erie canal and for municipal purposes, and developing, utilizing and disposing of the waters and water power of said river and its tributaries above and below said dam or reservoir,' generally" (Int. No. 1699), having been announced for a third reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was made a special order on third reading for Monday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 830) entitled "An act to amend the Penal Code by adding thereto a new section to be known as section four hundred and eleven-a, relative to the destruction of dangerous weapons" (Int. No. 765), having been announced for a second reading,

On motion of Mr. Rogers, said bill was recommitted to the committee on rules, retaining its place on the order of second reading.

The bill (No. 1464) entitled "An act to amend the Greater New York charter, as re-enacted by chapter four hundred and sixty-six of the Laws of nineteen hundred and one, relative to the police force" (Int. No. 1212), was read the second time.

On motion of Mr. Brown, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2382) entitled "An act to amend section eight hundred and fifty-nine of the Greater New York charter, relative to wharfage rates on harbor lighters and other vessels at the port of New York" (Int. No. 456), was read the second time.

On motion of Mr. Cuvillier, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2289) entitled "An act to amend the Public Health Law, in relation to adulteration and misbranding of foods" (Int. No. 1663), was read the second time.

On motion of Mr. Prentice, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2238) entitled "An act to limit the time within which actions may be brought for the removal of or for damages for the erection or maintenance of bay windows or ornamental projections in the city of New York" (Int. No. 1647), was read the second time.

On motion of Mr. Robinson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1799) entitled "An act to amend chapter three of the general laws known as the Civil Service Law" (Int. No. 230), having been announced for a second reading,

On motion of Mr. Burns, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 2401) entitled "An act to amend the Primary Election Law, generally" (Int. No. 1630), was read the second time.

On motion of Mr. Prentice, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1490) entitled "An act to amend the Civil Service Law, in respect to the registration of laborers" (Int. No. 1238), having been announced for a second reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The Senate bill (No. 442) entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relative to the duties and powers of clerks" (Rec. No. 65), was read the second time.

On motion of Mr. Prentice, said bill was placed on the order of third reading.

The bill (No. 396) entitled "An act to release to Guiseppe Barese all the right, title and interest of the people of the State of New York, in and to certain real estate, situate in the village of Ossining, county of Westchester and State of New York" (Int. No. 389), was read the second time.

On motion of Mr. Apgar, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2343) entitled "An act to provide for acquiring land on Verplanck's Point in Westchester county, for a Hudson-Fulton memorial park, and making an appropriation therefor" (Int. No. 1702), was read the second time.

On motion of Mr. Apgar, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2099) entitled "An act to amend the Insanity Law, in relation to-salaries of certain officers and employees of State hospitals" (Int. No. 865), was read the second time.

On motion of Mr. Averill, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 95) entitled "An act making an appropriation to the Central New York Institution for Deaf Mutes, at Rome, to enable it to extinguish its debt, incurred for the support and education of its deaf and dumb pupils and for the paying of the street fronting its property" (Int. No. 95), was read the second time.

On motion of Mr. Blue, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2276) entitled "An act to amend chapter six hundred and eighty-four of the Laws of nineteen hundred and six, in relation to the compensation of officers and employees of the State Reformatories" (Int. No. 1344), was read the second time.

On motion of Mr. Cunningham, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2424) entitled "An act to amend the County Law, relative to the compensation of supervisors in Niagara county" (Int. No. 1730), was read the second time.

On motion of Mr. Draper, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2146) entitled "An act amending section six of chapter three hundred and six of the Laws of eighteen hundred and ninety-three, entitled 'An act to establish a State prison for women,' relative to salaries of guards and assistant matrons" (Int. No. 1410), was read the second time.

On motion of Mr. Dudley, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 453) entitled "An act to compel elevated railroad corporations in the borough of Brooklyn to provide for the comfort of passengers" (Int. No. 444), was read the second time.

On motion of Mr. Gluck, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 209) entitled "An act regulating transfers on street railroads" (Int. No. 209), having been announced for a second reading,

On motion of Mr. Dowling, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 2408) entitled "An act to legalize and confirm the certificate of incorporation and the incorporation of the Corning, Keuka Lake and Ontario Railway Company and the proceedings taken and had under or in pursuance of said certificate" (Int. No. 1714), was read the second time.

On motion of Mr. Hamn, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2252) entitled "An act to provide for repairing the docks owned by the State at Babylon and Fire Island and making an appropriation therefor" (Int. No. 1118), was read the second time.

On motion of Mr. Hubbs, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2250) entitled "An act to provide for the construction of a stone or concrete retaining wall on the northerly side of Oneida creek in the village of Oneida Castle, and making an appropriation thereof" (Int. No. 798), was read the second time.

On motion of Mr. Lewis, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 477) entitled "An act to release to Sophie Demers, widow of Joseph Demers, all the right, title and interest of the people of the State of New York in and to certain real estate situated in the town of Altamont, county of Franklin and State of New York, acquired by excheat or otherwise, on the death of said Joseph Demers" (Int. No. 464), was read the second time.

On motion of Mr. Matthews, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2286) entitled "An act in relation to towns, which, in the year nineteen hundred and six, failed to assess poll taxes as required by section fifty-three of the Highway Law" (Int. No. 1660), was read the second time.

On motion of Mr. Matthews, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2322) entitled "An act to amend the Executive Law, relative to the appointment of experts and providing for their compensation" (Int. No. 1768), was read the second time.

On motion of Mr. Moreland, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2372) entitled "An act to amend chapter seven hundred and eighteen of the Laws of nineteen hundred and four, entitled 'An act authorizing the selection of lands as a site for the New York State Training School for Boys, and establishing the said school,' as amended by chapter one hundred and thirty-three of the Laws of nineteen hundred and five and by chapter six hundred and seventeen of the Laws of nineteen hundred and six, in relation to the selection of lands and the time of making report" (Int. No. 1710), was read the second time.

On motion of Mr. Moreland, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2148) entitled "An act to provide for the selection of a site for a State hospital for the insane in the southeastern part of the State, in the vicinity of the city of New York, and for securing contracts for the sale to the State of the lands so selected" (Int. No. 1589), was read the second time.

On motion of Mr. Moreland, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1326) entitled "An act to amend chapter four hundred and sixty-six of the Laws of nineteen hundred and one, entitled 'An act to provide for the reimbursement of the expenses and disbursements paid and incurred by the several justices of the Supreme Court, who are designated as justices of the Appellate Division of that court,' by including compensation to trial justices relative to the payment of such expenses" (Int. No. 1121), having been announced for a second reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 2161) entitled "An act to amend chapter two hundred and thirty-eight of the Laws of eighteen hundred and

seventy-one, entitled 'An act to provide for the payment of the crier and attendants of the Court of Appeals,' as amended by chapter five hundred and twenty-seven of the Laws of eighteen hundred and eighty-nine" (Int. No. 1603), was read the second time.

On motion of Mr. Patton, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2476) entitled "An act to amend the Primary Election Law, in relation to correcting the enrollment books in cities containing a population of one million or over" (Int. No. 1762), having been announced for a second reading,

On motion of Mr. Rogers, said bill was recommitted to the committee on rules, retaining its place on the order of second reading.

The bill (No. 503) entitled "An act to require the construction of an elevated railroad station between One Hundred and Twentieth street and One Hundred and Twenty-first street on Eighth avenue, in the city of New York" (Int. No. 490), having been announced for a second reading,

On motion of Mr. Dowling, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 2423) entitled "An act to provide for refunding certain taxes erroneously paid into the treasury of the State by certain foreign life insurance companies domiciled in the State of Connecticut" (Int. No. 1729), was read the second time.

On motion of Mr. Rogers, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2237) entitled "An act to extend the time for the Syracuse, Skaneateles and Moravia Railroad Company to begin the construction of its road and expend thereon ten per centum of its capital, and finish and put the same in operation" (Int. No. 1646), was read the second time.

On motion of Mr. Schoeneck, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2187) entitled "An act to amend section one hundred and three of the Railroad Law with respect to the abandonment of part of route, temporary removal of rails, temporary

discontinuance of operation and relocation of railroads and routes in cities of the first class" (Int. No. 1624), having been announced for a second reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 2188) entitled "An act to amend chapter three hundred and ten of the Laws of eighteen hundred and seventy-nine, entitled 'An act to prevent the sale of land used for cemetery purposes'" (Int. No. 1625), was read the second time.

On motion of Mr. Sheridan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1183) entitled "An act to amend the Lien Law, relative to liens of manufacture and throwsters of cotton, woolen and silk goods" (Int. No. 1024), was read the second time.

On motion of Mr. M. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1620) entitled "An act to fix and establish the annual salary of the surrogate of Kings county and repealing section two hundred and twenty-two of chapter six hundred and eighty-six of the Laws of eighteen hundred and ninety-two in so far as it relates to Kings county" (Int. No. 1311), was read the second time.

On motion of Mr. Surpless, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1350) entitled "An act to provide for the establishment and maintenance of a herd of bison on State lands, within the Adirondack Forest Reserve, by the State of New York" (Int. No. 1130), was read the second time.

On motion of Mr. Hooper, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1668) entitled "An act making an appropriation to aid in the purchase of the site of the birthplace of the State of New York" (Int. No. 1336), was read the second time.

On motion of Mr. Wainwright, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2294) entitled "An act to amend the State Charities Law, in relation to the number of members of the State Board of Charities" (Int. No. 1669), was read the second time.

On motion of Mr. Wainwright, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1607) entitled "An act to amend the Military Code, relative to the composition and strength of the National Guard" (Int. No. 1296), was read the second time.

On motion of Mr. Wells, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1290) entitled "An act making an appropriation for the deepening, cleaning and repairing the outlet of Round lake, Saratoga county, for the better preservation of the public health and to prevent its waters from becoming contaminated and unhealthy" (Int. No. 613), was read the second time.

On motion of Mr. G. H. Whitney, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2331) entitled "An act to extend the time within which the Danbury and Harlem Traction Company shall finish its road and put it in operation beyond its present construction and operation" (Int. No. 1688), was read the second time.

On motion of Mr. Yale, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1444) entitled "An act to provide for the construction of a dam and reservoir on the Indian river in Lewis county, and making an appropriation therefor" (Int. No. 1199), was read the second time.

On motion of Mr. Wood, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 1257) entitled "An act to amend the Insanity Law, relative to the erection, alteration, repairs and improvements of State hospital buildings" (Rec. No. 270), was read the second time.

On motion of Mr. O'Brien, said bill was placed on the order of third reading.

The Senate bill (No. 619) entitled "An act to regulate transfers of goods in bulk" (Rec. No. 266), was read the second time.

On motion of Mr. Brooks, said bill was placed on the order of third reading.

The Senate bill (No. 875) entitled "An act to repeal section four of chapter four hundred and ninety of the Laws of eighteen

hundred and eighty-eight, entitled 'An act for the incorporation of societies for the prevention of cruelty to animals and to amend sections six hundred and fifty-six and six hundred and sixty-eight of the Penal Code, relating to cruelty to animals' " (Rec. No. 291), was read the second time.

On motion of Mr. Maher, said bill was placed on the order of third reading.

The Senate bill (No. 1297) entitled "An act to regulate car service on street surface railroads, in the county and borough of Queens " (Rec. No. 294), having been announced for a second reading,

On motion of Mr. Dowling, said bill was recommitted to the committee on rules, retaining its place on the order of second reading.

The Senate bill (No. 611) entitled "An act to amend chapter sixty-four of the Laws of eighteen hundred and fifty-four, entitled 'An act to incorporate the Saratoga Lake Bridge Company' " (Rec. No. 161), having been announced for a second reading,

On motion of Mr. G. H. Whitney, said bill was recommitted to the committee on rules, retaining its place on the order of second reading.

The Senate bill (No. 894) entitled "An act to amend the Insurance Law, in relation to certificates of authority of agents, and the filing of such certificates " (Rec. No. 220), was read the second time.

On motion of Mr. Rogers, said bill was placed on the order of third reading.

The Senate bill (No. 955) entitled "An act to amend the Consolidated School Law, in relation to the payment by the county of school taxes returned as unpaid in the county of Suffolk " (Rec. No. 243), was read the second time.

On motion of Mr. Hubbs, said bill was placed on the order of third reading.

The bill (No. 2394) entitled "An act to provide for the repaving or resurfacing of East Main street and Market street in the city of Amsterdam, and to provide for meeting the expense thereof " (Int. No. 1186), was read the third time, having been

printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 100

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Gundermann	Mance	Sinclair
Apgar	Donnelly	Hackett	Matthews	Smith A E
Baldwin	Draper	Haines	McCue	Staley
Baumann	Duell	Hamilton	Merritt	Stern
Blue	Eagleton	Hammond	Miller	Stevenson
Bohan	Eichhorn	Harawitz	Mills	Stratton
Brady	Farrell	Harris	Morgan	Todd
Brooks	Ferguson	Hart	Murphy C F	Volk
Brough	Filley	Hastings	Northrup	Waddell
Buckley	Flanagan	Hoey	Norton	Wagner
Burhyte	Foley C F	Hooper	Oliver	Wainwright
Burns	Foley J A	Hurd	Patton	Walters
Burzynski	Francis	Huth	Phillips	Weber
Cole	Ganly	Jackson	Prentice	Weimert
Collins	Garbe	Keller	Prince	Wells
Conklin	Geoghagan	Lee	Ralston	Whitney G H
Croak	Glore	Lewis	Robinson	Winters
Cunningham	Gluck	Loos	Schmidt	Wood
Cuvillier	Goldberg	Lupton	Schwegler	Yale
Dobbs	Gray	Maher	Shuttleworth	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2362) entitled "An act to empower the local authorities of the town of Hempstead in the county of Nassau to pay certain accounts" (Int. No. 1476), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 101

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hackett	Matthews	Smith A E
Apgar	Draper	Haines	McCue	Staley
Baldwin	Duell	Hamilton	Merritt	Stern
Baumann	Eagleton	Hammond	Miller	Stevenson
Blue	Eichhorn	Harawitz	Mills	Stratton
Bohan	Farrell	Harris	Morgan	Todd
Brady	Ferguson	Hart	Murphy C F	Volk
Brooks	Filley	Hastings	Northrup	Waddell
Brough	Flanagan	Hoey	Norton	Wagner
Buckley	Foley C F	Hooper	Oliver	Wainwright
Burhyte	Foley J A	Hurd	Patton	Walters
Burns	Francis	Huth	Phillips	Weber
Burzynski]	Ganly	Jackson	Prentice	Weimert
Cole	Garbe	Keller	Prince	Wells
Collins	Geoghagan	Lee	Ralston	West
Conklin	Glore	Lewis	Robinson	Whitney G H
Croak	Gluck	Loos	Schmidt	Winters
Cunningham	Goldberg	Lupton]	Schwegler	Wood
Cuvillier	Gray	Maher	Shuttleworth	Yale
Dobbs	Gunderman	Mance	Sinclair	Young
Dominy				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2334) entitled "An act to provide a fund for bridges and other permanent street improvements in the city of Ithaca" (Int. No. 1691), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 101

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hackett	Matthews	Smith A E
Apgar	Draper	Haines	McCue	Staley
Baldwin	Duell	Hamilton	Merritt	Stern
Baumann	Eagleton	Hammond	Miller	Stevenson
Blue	Eichhorn	Harawitz	Mills	Stratton
Bohan	Farrell	Harris	Morgan	Todd
Brady	Ferguson	Hart	Murphy C F	Volk
Brooks	Filley	Hastings	Northrup	Waddell
Brough	Flanagan	Hoey	Norton	Wagner
Buckley	Foley C F	Hooper	Oliver	Wainwright
Burhyte	Foley J A	Hurd	Patton	Walters

Burns	Francis	Huth	Phillips	Weber
Burzynski	Ganly	Jackson	Prentice	Weimert
Cole	Garbe	Keller	Prince	Wells
Collins	Geoghagan	Lee	Ralston	West
Conklin	Glore	Lewis	Robinson	Whitney G H
Croak	Gluck	Loos	Schmidt	Winters
Cunningham	Goldberg	Lupton	Schwegler	Wood
Cuvillier	Gray	Maher	Shuttleworth	Yale
Dobbs	Gundermann	Mance	Sinclair	Young
Dominy				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2432) entitled "An act to validate a special election of the village of Briarcliff Manor, authorizing the borrowing of money, issue of bonds, and acquisition and management of certain property" (Int. No. 1738), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 101

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hackett	Matthews	Smith A E
Apgar	Draper	Haines	McCue	Staley
Baldwin	Duell	Hamilton	Merritt	Stern
Baumann	Eagleton	Hammond	Miller	Stevenson
Blue	Eichhorn	Harawitz	Mills	Stratton
Bohan	Farrell	Harris	Morgan	Todd
Brady	Ferguson	Hart	Murphy C F	Volk
Brooks	Filley	Hastings	Northrup	Waddell
Brough	Flanagan	Hoey	Norton	Wagner
Buckley	Foley C F	Hooper	Oliver	Wainwright
Burhyte	Foley J A	Hurd	Patton	Walters
Burns	Francis	Huth	Phillips	Weber
Burzynski	Ganly	Jackson	Prentice	Weimert
Cole	Garbe	Keller	Prince	Wells
Collins	Geoghagan	Lee	Ralston	West
Conklin	Glore	Lewis	Robinson	Whitney G H
Croak	Gluck	Loos	Schmidt	Winters
Cunningham	Goldberg	Lupton	Schwegler	Wood
Cuvillier	Gray	Maher	Shuttleworth	Yale
Dobbs	Gunderman	Mance	Sinclair	Young
Dominy				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2427) entitled "An act to amend chapter one hundred and eighty-eight of the Laws of nineteen hundred and six, entitled 'An act to authorize the city of Utica to construct a general system of storm water drainage, and to borrow money to pay for the same,' relative to the rate of interest to be paid on bonds" (Int. No. 1733), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 101

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hackett	Matthews	Smith A E
Apgar	Draper	Haines	McCue	Staley
Baldwin	Duell	Hamilton	Merritt	Stern
Baumann	Eagleton	Hammond	Miller	Stevenson
Blue	Eichhorn	Harawitz	Mills	Stratton
Bohan	Farrell	Harris	Morgan	Todd
Brady	Ferguson	Hart	Murphy C F	Volk
Brooks	Filley	Hastings	Northrup	Waddell
Brough	Flanagan	Hoey	Norton	Wagner
Buckley	Foley C F	Hooper	Oliver	Wainwright
Burhyte	Foley J A	Hurd	Patton	Walters
Burns	Francis	Huth	Phillips	Weber
Burzynski	Ganly	Jackson	Prentice	Weimert
Cole	Garbe	Keller	Prince	Wells
Collins	Geoghagan	Lee	Ralston	West
Conklin	Glore	Lewis	Robinson	Whitney G H
Croak	Gluck	Loos	Schmidt	Winters
Cunningham	Goldberg	Lupton	Schwegler	Wood
Cuvillier	Gray	Maher	Shuttleworth	Yale
Dobbs	Gunderman	Mance	Sinclair	Young
Dominy				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 830) entitled "An act to amend the Greater New York charter, in relation to the presentation of claims against the city" (Rec. No. 155), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 101

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hackett	Matthews	Smith A E
Apgar	Draper	Haines	McCue	Staley
Baldwin	Duell	Hamilton	Merritt	Stern
Baumann	Eagleton	Hammond	Miller	Stevenson
Blue	Eichhorn	Harawitz	Mills	Stratton
Bohan	Farrell	Harris	Morgan	Todd
Brady	Ferguson	Hart	Murphy C F	Volk
Brooks	Filley	Hastings	Northrup	Waddell
Brough	Flanagan	Hoey	Norton	Wagner
Buckley	Foley C F	Hooper	Oliver	Wainwright
Burhyte	Foley J A	Hurd	Patton	Walters
Burns	Francis	Huth	Phillips	Weber
Burzynski	Ganly	Jackson	Prentice	Weimert
Cole	Garbe	Keller	Prince	Wells
Collins	Geoghagan	Lee	Ralston	West
Conklin	Glore	Lewis	Robinson	Whitney G H
Croak	Gluck	Loos	Schmidt	Winters
Cunningham	Goldberg	Lupton	Schwegler	Wood
Cuvillier	Gray	Maher	Shuttleworth	Yale
Dobbs	Gunderman	Mance	Sinclair	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1274) entitled "An act to amend chapter three hundred of the Laws of nineteen hundred and four, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls'" (Rec. No. 275), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 101

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hackett	Matthews	Smith A E
Apgar	Draper	Haines	McCue	Staley
Baldwin	Duell	Hamilton	Merritt	Stern
Baumann	Eagleton	Hammond	Miller	Stevenson
Blue	Eichhorn	Harawitz	Mills	Stratton
Bohan	Farrell	Harris	Morgan	Todd
Brady	Fergusson	Hart	Murphy C F	Volk
Brooks	Fille	Hastings	Northrup	Waddell
Brough	Flanagan	Hoey	Norton	Wagner
Buckley	Foley C F	Hooper	Oliver	Wainwright
Burhyte	Foley J A	Hurd	Patton	Walters
Burns	Francis	Huth	Phillips	Weber
Burzynski	Ganly	Jackson	Prentice	Weimert
Cole	Garbe	Keller	Prince	Wells
Collins	Geoghagan	Lee	Ralston	West
Conklin	Glore	Lewis	Robinson	Whitney G H
Croak	Gluck	Loos	Schmidt	Winters
Cunningham	Goldberg	Lupton	Schwegler	Wood
Cuvillier	Gray	Maher	Shuttleworth	Yale
Dobbs	Gunderman	Mance	Sinclair	Young
Dominay				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1017) entitled "An act authorizing the audit and allowance of the claim of John J. Scannell against the city of New York, for his costs, counsel fees and expenses paid in successfully defending himself against certain indictments filed against him during his term of office as fire commissioner in said city" (Rec. No. 184), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 101

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hackett	Matthews	Smith A E
Apgar	Draper	Haines	McCue	Staley
Baldwin	Duell	Hamilton	Merritt	Stern
Baumann	Eagleton	Hammond	Miller	Stevenson

Blue	Eichhorn	Harawitz	Mills	Stratton
Bohan	Farrell	Harris	Morgan	Todd
Brady	Ferguson	Hart	Murphy C F	Volk
Brooks	Filley	Hastings	Northrup	Waddell
Brough	Flanagan	Hoey	Norton	Wagner
Buckley	Foley C F	Hooper	Oliver	Wainwright
Burhyte	Foley J A	Hurd	Patton	Walters
Burns	Francis	Huth	Phillips	Weber
Burzynski	Ganly	Jackson	Prentice	Weimert
Cole	Garbe	Keller	Prince	Wells
Collins	Geoghagan	Lee	Ralston	West
Conklin	Glore	Lewis	Robinson	Whitney G H
Croak	Gluck	Loos	Schmidt	Winters
Cunningham	Goldberg	Lupton	Schwegler	Wood
Cuvillier	Gray	Maher	Shuttleworth	Yale
Dobbs	Gunderman	Mance	Sinclair	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1115) entitled "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon'" (Rec. No. 214), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 101

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hackett	Matthews	Smith A E
Apgar	Draper	Haines	McCue	Staley
Baldwin	Duell	Hamilton	Merritt	Stern
Baumann	Eagleton	Hammond	Miller	Stevenson
Blue	Eichhorn	Harawitz	Mills	Stratton
Bohan	Farrell	Harris	Morgan	Todd
Brady	Ferguson	Hart	Murphy C F	Volk
Brooks	Filley	Hastings	Northrup	Waddell
Brough	Flanagan	Hoey	Norton	Wagner
Buckley	Foley C F	Hooper	Oliver	Wainwright
Burhyte	Foley J A	Hurd	Patton	Walters
Burns	Francis	Huth	Phillips	Weber
Burzynski	Ganly	Jackson	Prentice	Weimert
Cole	Garbe	Keller	Prince	Wells
Collins	Geoghagan	Lee	Ralston	West
Conklin	Glore	Lewis	Robinson	Whitney G H

Croak	Gluck	Loos	Schmidt	Winters
Cunningham	Goldberg	Lupton	Schwegler	Wood
Cuvillier	Gray	Maher	Shuttleworth	Yale
Dobbs	Gunderman	Mance	Sinclair	Young
Dominy				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Brown offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 631, Int. No. 590), entitled "An act to authorize the police commissioner of the city of New York, in his discretion, to reopen the investigation of the legality of the appointment of Joseph Devlin as a member of the police department and force of the city of New York, to make a reinvestigation of the same and to reinstate or restore him as a roundsman in the police department and force of said city," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. C. Smith offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 2183, Int. No. 1620), entitled "An act to amend the forest, fish and game law, in relation to fishing in Otsego lake," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *April 25, 1907.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 74, Rec. No. 98), entitled "An act to legalize the proceedings of

the town board of highway commissioners of the town of West Seneca, Erie county, New York, in constructing sewers in Edson street, Duerstein avenue and Burch avenue, in said town of West Seneca, and making assessments therefor," for the purpose of amendment.

By order of the Senate,

LAFAYETTE B. GLEASON,  
*Clerk.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, April 25, 1907.

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 534, Rec. No. 94), entitled "An act to release to George C. Kline all the right, title and interest of the people of the State of New York in and to real estate situate, lying and being in the county and state of New York, acquired by escheat or otherwise," for the purpose of amendment.

By order of the Senate,

LAFAYETTE B. GLEASON,  
*Clerk.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the Assembly bill (No. 1533, Senate reprint No. 1314, Int. No. 681) entitled "An act to amend the Penal Code, relative to expenditures at elections."

Also, Assembly bill (No. 1563, Senate reprint No. 1339, Int. No. 1270) entitled "An act relating to the public printing of Clinton county."

Also Assembly bill (No. 1223, Senate reprint No. 1337, Int. No. 216) entitled "An act to amend the Agricultural Law, in relation to the sale at retail of renovated butter."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill (No. 1379, Int. No. 596) entitled "An act to amend chapter five hundred and fifty-three of the Laws of eighteen hundred and ninety-five, entitled 'An act in relation to the Supreme Court in the first judicial district and the Appellate Division thereof in the first department,' in relation to salary of clerks to justices," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the Senate bill (No. 864, Assembly reprint No. 2399, Rec. No. 168) entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter two hundred and twenty-eight of the Laws of nineteen hundred and one, relating to the repairing of private docks in the city of Buffalo," with a message that they have concurred in the amendments of the Assembly made thereto.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1331, Int. No. 836) entitled "An act to amend chapter sixty-three of the Laws of nineteen hundred and two, entitled 'An act to incorporate the city of Fulton,' relating to limitation of actions against the city," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 631, Int. No. 590) entitled "An act to authorize the police commissioner of the city of New York, in his discretion, to reopen the investigation of the legality of the appointment of Joseph Devlin as a member of the police department and force of the city of New York, to make a reinvestigation of the same and to reinstate or restore him as a roundsman in the police department

and force of said city," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 2183, Int. No. 1620) entitled "An act to amend the Forest, Fish and Game Law, in relation to fishing in Otsego lake," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. (No. 1635, Senate reprint No. 1261, Int. No. 1323) entitled "An act in relation to the County Court of Kings county and the appointment of a chief clerk and deputies and assistants therein," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 1131, Int. No. 453) entitled "An act to amend chapter three hundred and seventy-one of the Laws of nineteen hundred and three, entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady,' relative to the boundaries of the several wards of the city of Schenectady and to increasing the number thereof and defining the boundaries thereof, and election of ward officers and appointing of election officers," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, April 25, 1907.

*To the Assembly:*

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 719,

Int. No. 725), entitled "An act to provide for the consolidation of the Jewish Protectory and Aid Society and of the Society for the Aid of Jewish Prisoners, and to define the powers of the consolidated corporation."

CHARLES E. HUGHES.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, *April 26, 1907.*

*To the Assembly:*

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 2183, Int. No. 1620), entitled "An act to amend the forest, fish and game law, in relation to fishing in Otsego lake."

CHARLES E. HUGHES.

A communication was received from Hon. George B. McClellan, mayor of the city of New York, returning Assembly bill (No. 2115, Int. No. 974), entitled "An act in furtherance of the commission heretofore created to confer with the Governor and Legislature of the State of New Jersey for the purpose of developing a system of transit between the city of New York and the State of New Jersey, extending its powers and making an appropriation therefor," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. George B. McClellan, mayor of the city of New York, returning Assembly bill (No. 1234, Int. No. 1063), entitled "An act to amend chapter twenty of the Laws of eighteen hundred and fifty-seven, entitled 'An act to sell the burial ground at the Wallabout, in the city of Brooklyn, and to provide places of burial,' in relation to sales of places so provided," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Rogers, the House adjourned.

MONDAY, APRIL 29, 1907.

The House met pursuant to adjournment.

Prayer by Rev. Charles W. Heisler.

On motion of Mr. Moreland, the reading of the journal of Friday, April 26, 1907, was dispensed with, and the same was approved.

Mr. Speaker presented the annual report of the New York State Education Department, report of the director, which was laid upon the table and ordered printed.

(See Document No. 21.)

Mr. Weimert gives notice that he requests that Assembly bill (No. 1809, Int. No. 1419) entitled "An act to amend chapter six hundred and eighty-nine of the Laws of eighteen hundred and ninety-two, entitled 'An act in relation to banking corporations, being chapter thirty-seven of the general laws,' " a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Prentice gives notice that he requests that Assembly bill (No. 2476, Int. No. 1762) entitled "An act to amend the Primary Election Law, in relation to correcting the enrollment books in cities containing a population of one million or over," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Brady gives notice that he requests that Assembly bill (No. 2459, Int. No. 1751) entitled "An act to amend the State Printing Law, relative to printing of legislative journals, a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Stanton gives notice that he requests that Assembly bill (No. 2454, Int. No. 1746) entitled "An act to legalize the acts of Addison S. Pratt, a notary public," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. C. F. Foley gives notice that he requests that Assembly bill (No. 1179, Int. No. 1020) entitled "An act to amend the Penal Code, relating to the issue and redemption of trading stamps and similar devices," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Harper gives notice that he requests that Assembly bill (No. 2328, Int. No. 1685) entitled "An act to authorize the board of trustees of the village of Waterloo, in the county of Seneca, to issue bonds for the payment of the existing indebtedness of said village," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Prentice gives notice that he requests that Assembly bill (No. 2401, Int. No. 1630) entitled "An act to amend the Primary Election Law, generally," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Merritt gives notice that he requests that Assembly bill (No. 2444, Int. No. 1540) entitled "An act to amend the Agricultural Law, in relation to the sale and transportation of adulterated and misbranded foods and regulating traffic therein," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

By unanimous consent, Mr. Rogers introduced a bill entitled "An act to amend the Business Corporations Law, relative to the incorporation of educational institutions" (Int. No. 1819), which was read the first time and referred to the committee on judiciary.

By unanimous consent, Mr. Wainwright introduced a bill entitled "An act to amend the Public Health Law, in relation to adulteration and misbranding of drugs and liquors" (Int. No. 1820), which was read the first time and referred to the committee on public health.

By unanimous consent, Mr. Hurd introduced a bill entitled

"An act to amend chapter thirty-seven of the Laws of nineteen hundred and one, as amended by chapter three hundred and fifty-one of the Laws of nineteen hundred and three, entitled 'An act authorizing appropriations by the board of supervisors of Rockland county for the support and maintenance of the inmates of the Nyack hospital.'" (Int. No. 1821), which was read the first time and referred to the committee on internal affairs.

By unanimous consent, Mr. C. F. Foley introduced a bill entitled "An act to amend chapter one hundred and twenty of the Laws of eighteen hundred and eighty-six, entitled 'An act to revise the charter of the city of Lockport,' in relation to the police and fire departments" (Int. No. 1822), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Lee introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to Richmond county" (Int. No. 1823), which was read the first time and referred to the committee on codes.

By unanimous consent, Mr. Hastings introduced a bill entitled "An act to amend chapter two hundred and three of the Laws of nineteen hundred and seven, entitled 'An act to revise and amend the charter of the city of Newburgh, being chapter five hundred and forty-one of the Laws of eighteen hundred and sixty-five, and the several acts amendatory thereof and supplemental thereto,' generally" (Int. No. 1824), which was read the first time and referred to the committee on affairs of cities.

Mr. West, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act authorizing an increase in the water storage capacity of Otisco lake and its use as a source of water supply." (No. 2475, Int. No. 1665.)

"An act to amend the Greater New York charter, in relation to salary of city marshals." (No. 1569, Int. No. 1276.)

"An act to amend chapter five hundred and sixty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to incorporate the city of Little Falls,' relative to laying out, widening, altering or straightening streets, highways, alleys, lanes or public grounds." (No. 2421, Int. No. 1727.)

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Weimert (No. 1809, Int.

No. 1419), entitled "An act to amend chapter six hundred and eighty-nine of the Laws of eighteen hundred and ninety-two, entitled 'An act in relation to banking corporations, being chapter thirty-seven of the general laws.'"

Also, Assembly bill introduced by Mr. Prentice (No. 2476, Int. No. 1762), entitled "An act to amend the Primary Election Law, in relation to correcting the enrollment books in cities containing a population of one million or over."

Also, Assembly bill introduced by Mr. Brady (No. 2459, Int. No. 1751), entitled "An act to amend the State Printing Law, relative to printing of legislative journals."

Also, Assembly bill introduced by Mr. Stanton (No. 2454, Int. No. 1746), entitled "An act to legalize the acts of Addison S. Pratt, a notary public," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. C. F. Foley (No. 1179, Int. No. 1020), entitled "An act to amend the Penal Code, relating to the issue and redemption of trading stamps and similar devices."

Also, Assembly bill introduced by Mr. Harper (No. 2328, Int. No. 1685), entitled "An act to authorize the board of trustees of the village of Waterloo, in the county of Seneca, to issue bonds for the payment of the existing indebtedness of said village."

Also, Assembly bill introduced by Mr. Prentice (No. 2401, Int. No. 1630), entitled "An act to amend the Primary Election Law, generally," reported in favor of the passage of the same without amendment, and that the same be made a special order on third reading immediately, which report was agreed to, and said bills ordered made special orders on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Merritt (No. 2444, Int. No.

1540), entitled "An act to amend the Agricultural Law, in relation to the sale and transportation of adulterated and misbranded foods and regulating traffic therein," retaining its place on the order of third reading, reported in favor of the passage of the same, with the following amendments:

On page 1, line 1, strike out "Article eleven" and insert in place thereof "Section one hundred and sixty-four".

On page 1, strike out lines 7, 8, 9 and 10.

On page 2, strike out lines 1 to 9, inclusive.

On page 3, line 6, italicize "Prohibition".

On page 3, line 13, after "confectionery" insert comma inside of bracket.

Same page and line, after "]" insert "[an]" and italicize "An".

On page 3, line 14, after "terated" insert "[If it contain terra alba, barytes, talc, chrome yellow, or other mineral substances or poisonous colors or flavors, or other ingredients, deleterious or detrimental to health.]".

On page 3, line 15, italicize "1." and the colon after "food".

On page 3, line 16, after "terated" insert colon inside of bracket.

On page 3, line 17, after "First" strike out colon and insert in place thereof period.

On page 3, line 19, before "so" insert comma inside of bracket.

On page 3, line 22, before "so" insert comma inside of bracket.

On page 3, line 26, before "so" insert comma inside of bracket.

On page 4, line 4, after "ingredient" strike out period and insert in place thereof "or any ingredient."

On page 4, line 5, after "health" strike out comma.

On page 4, line 6, after "filthy" insert comma.

On page 4, italicize lines 13 and 14, and the words "or flavors, or other deleterious ingredients," on line 15.

On page 4, line 15, after "ingredients," strike out balance of line.

On page 4, line 16, strike out "mental to health,]".

On page 4, line 22, strike out "in" and insert in place thereof "is".

On page 5, line 13, after "blends" strike out semicolon and insert in place thereof colon.

On page 5, after line 20, insert new section as follows: "§ 3. The following schedule of sections is hereby inserted in Article eleven of said act, at the beginning of said article after 'Article XI, to read as follows:

## ARTICLE XI.

- Section 164. Definitions; construction.  
 165. Prohibition; definitions.  
 166. Misbranding; applications.  
 167. When article of food not deemed adulterated or misbranded.  
 168. Duties of the state department of agriculture in respect to adulteration and misbranding.  
 169. Prosecution of violations.  
 170. Evidence; principal's liability for acts of agents.  
 171. Goods sold under guaranty.  
 172. Penalties.  
 173. Report to secretary of agriculture."

On page 5, line 21, strike out " 3 " and insert in place thereof " 4 ".

On page 5, line 22, strike out "eight" and insert in place thereof "six".

On page 5, line 23, strike out balance of line after "sixty-five".

Strike out all of line 24 and insert in place thereof "one hundred and sixty-seven, one hundred and sixty-eight, one hundred and sixty-nine, one hundred and seventy, and one hundred and seventy-one, to read, respectively, as follows:".

On page 6, line 16, strike out "[alcohol,]"

On page 9, lines 21 and 22, strike out "[district attorney of the proper county, or to a special attorney employed as provided in this act,]"

On page 10, line 3, strike out "170" and insert in place thereof "169".

On page 11, lines 1 and 2, strike out all inside of brackets.

On page 11, lines 2 and 3, "quantity or proportion of any substance named or described" not in italics.

On page 11, line 6, strike out "171" and insert in place thereof "170".

On page 11, lines 20 to 24, inclusive, not in italics.

On page 12, lines 16 to 19, strike out all inside of brackets.

On page 12, line 20, strike out "173" and insert in place thereof "171".

On page 13, line 4, strike out " 4 " and insert in place thereof " 5 ".

and that the same be reprinted as amended and re-engrossed, and that when it shall have been on the desks of the members three calendar days it be made a special order on third reading imme-

diately, which report was agreed to, and said bill ordered re-printed as amended and re-engrossed, and when it shall have been on the desks of the members three calendar legislative days it be made a special order on third reading immediately.

Mr. Speaker announced the special order, being the Senate bill (No. 1191) entitled "An act to amend section three hundred and twenty-one of article fifteen of the General Tax Law, in relation to the tax on transfers of stock." (Rec. No. 312.)

On motion of Mr. Moreland, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Merritt	Sinclair
Averill	Draper	Hammond	Miller	Smith A E
Baldwin	Dudley	Hamn	Mills	Smith C
Blue	Duell	Harawitz	Mooney	Smith Myron
Bohan	Eagleton	Harper	Morgan	Staley
Boshart	Eggleston	Harris	Murphy C F	Stern
Brady	Eichhorn	Hart	Murphy G W	Stevenson
Brooks	Ferguson	Hastings	Nevins	Stratton
Brough	Feth	Hoey	Newton	Surplless
Brown	Filley	Holmes	Northrup	Todd
Buckley	Flanagan	Hooper	Norton	Volk
Burhyte	Foley C F	Hubbs	O'Brian	Voss
Burns	Foley J A	Hurd	Oliver	Waddell
Burzynski	Fowler	Jackson	Parker	Wagner
Cavanaugh	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prince	Weber
Colné	Garbe	Lewis	Ralston	Weimert
Conklin	Geoghagan	Loos	Reece	Wells
Conrady	Glore	Lowe	Robinson	West
Croak	Gluck	Lupton	Rogers	Whitley
Cunningham	Glynn	Maher	Schmidt	Whitney F G
Cuvillier	Goldberg	Mallon	Schoeneck	Whitney G H
De Groot	Gray	Mance	Schulz	Wood
Dobbs	Green	Marlatt	Sheridan	Yale
Dominy	Gunderman	Matthews	Shuttleworth	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 2347) entitled "An act to amend chapter six hundred and five of the Laws of eighteen hundred and ninety-eight, entitled 'An act to incorporate the Genesee River Company, and to authorize the said company to construct and use a dam or reservoir near Portageville for improving and preserving the public health, checking floods, furnishing water for the enlarged Erie canal and for municipal purposes, and developing, utilizing and disposing of the waters and water power of said river and its tributaries above and below said dam or reservoir,' generally." (Int. No. 1699.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 2

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Merritt	Sinclair
Averill	Draper	Hammond	Miller	Smith A E
Baldwin	Dudley	Hamn	Mills	Smith C
Blue	Duell	Harawitz	Mooney	Smith Myron
Bohan	Eagleton	Harper	Morgan	Staley
Boshart	Eggleston	Harris	Murphy C F	Stern
Brady	Eichhorn	Hart	Murphy G W	Stevenson
Brooks	Ferguson	Hastings	Nevins	Stratton
Brough	Feth	Hoey	Newton	Surpluss
Brown	Filley	Holmes	Northrup	Todd
Buckley	Flanagan	Hooper	Norton	Volk
Burhyte	Foley C F	Hubbs	O'Brian	Voss
Burns	Foley J A	Hurd	Oliver	Waddell
Burzynski	Fowler	Keller	Parker	Wagner
Cavanaugh	Francis	Lansing	Patton	Walters
Chamberlain	Frisbie	Lee	Phillips	Waters
Cole	Ganly	Lewis	Prince	Weber
Colné	Garbe	Loos	Ralston	Weimert
Conklin	Geoghagan	Lowe	Reece	Wells
Conrady	Glore	Lupton	Robinson	West
Croak	Gluck	Maher	Rogers	Whitley
Cunningham	Goldberg	Mallon	Schmidt	Whitney F G

Cuvillier	Gray	Mance	Schoeneck	Whitney G H
De Groot	Green	Marlatt	Schulz	Wood
Dobbs	Gunderman	Matthews	Sheridan	Yale
Dominy	Hackett	McCue	Shuttleworth	Young
Donnelly				

Those who voted in the negative were:

Glynn                      Jackson

Mr. Glynn moved to reconsider the vote by which said bill was passed, and that said motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was decided in the affirmative.

Mr. Speaker announced the special order, being the bill (No. 2459) entitled "An act to amend the State Printing Law, relative to printing of legislative journals." (Int. No. 1751.)

On motion of Mr. Brady, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Merritt	Sinclair
Averill	Draper	Hammond	Miller	Smith A E
Baldwin	Dudley	Hamn	Mills	Smith C
Blue	Duell	Harawitz	Mooney	Smith Myron
Bohan	Eagleton	Harper	Morgan	Staley
Boshart	Eggleston	Harris	Murphy C F	Stern
Brady	Eichhorn	Hart	Murphy G W	Stevenson
Brooks	Ferguson	Hastings	Nevins	Stratton
Brough	Feth	Hoey	Newton	Surplless
Brown	Filley	Holmes	Northrup	Todd
Buckley	Flanagan	Hooper	Norton	Volk
Burhyte	Foley C F	Hubbs	O'Brian	Voss
Burns	Foley J A	Hurd	Oliver	Waddell
Burzynski	Fowler	Jackson	Parker	Wagner
Cavanaugh	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prince	Weber
Colné	Garbe	Lewis	Ralston	Weimert
Conklin	Geoghagan	Loos	Reece	Wells
Conradly	Glore	Lowe	Robinson	West
Croak	Gluck	Lupton	Rogers	Whitley

Cunningham	Glynn	Maher	Schmidt	Whitney F G
Cuvillier	Goldberg	Mallon	Schoeneck	Whitney G H
De Groot	Gray	Mance	Schulz	Wood
Dobbs	Green	Marlatt	Sheridan	Yale
Dominy	Gunderman	Matthews	Shuttleworth	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2454) entitled "An act to legalize the acts of Addison S. Pratt, a notary public." (Int. No. 1746.)

On motion of Mr. Stanton, said bill was read the second time and order to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Hamilton	Merritt	Sinclair
Averill	Draper	Hammond	Miller	Smith A E
Baldwin	Dudley	Hamn	Mills	Smith C
Blue	Duell	Harawitz	Mooney	Smith Myron
Bohan	Eagleton	Harper	Morgan	Staley
Boshart	Eggleston	Harris	Murphy C F	Stern
Brady	Eichhorn	Hart	Murphy G W	Stevenson
Brooks	Ferguson	Hastings	Nevins	Stratton
Brough	Feth	Hoey	Newton	Surpluss
Brown	Filley	Holmes	Northrup	Todd
Buckley	Flanagan	Hooper	Norton	Volk
Burhyte	Foley C F	Hubbs	O'Brian	Voss
Burns	Foley J A	Hurd	Oliver	Waddell
Burzynski	Fowler	Jackson	Parker	Wagner
Cavanaugh	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lausing	Phillips	Waters
Cole	Ganly	Lee	Prince	Weber
Colné	Garbe	Lewis	Ralston	Weimert
Conklin	Geoghagan	Loos	Reece	Wells
Conrady	Glore	Lowe	Robinson	West
Croak	Gluck	Lupton	Rogers	Whitley
Cunningham	Glynn	Maher	Schmidt	Whitney F G
Cuvillier	Goldberg	Mallon	Schoeneck	Whitney G H
De Groot	Gray	Mance	Schulz	Wood
Dobbs	Green	Marlatt	Sheridan	Yale
Dominy	Gunderman	Matthews	Shuttleworth	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk engrossed said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1809) entitled "An act to amend chapter six hundred and eighty-nine of the Laws of eighteen hundred and ninety-two, entitled 'An act in relation to banking corporations, being chapter thirty-seven of the general laws.' " (Int. No. 1419.)

On motion of Mr. Weimert, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Merritt	Sinclair
Averill	Draper	Hammond	Miller	Smith A E
Baldwin	Dudley	Hamn	Mills	Smith C
Blue	Duell	Harawitz	Mooney	Smith Myron
Bohan	Eagleton	Harper	Morgan	Staley
Boshart	Eggleston	Harris	Murphy C F	Stern
Brady	Eichhorn	Hart	Murphy G W	Stevenson
Brooks	Ferguson	Hastings	Nevins	Stratton
Brough	Feth	Hoey	Newton	Surpless
Brown	Filley	Holmes	Northrup	Todd
Buckley	Flanagan	Hooper	Norton	Volk
Burhyte	Foley C F	Hubbs	O'Brian	Voss
Burns	Foley J A	Hurd	Oliver	Waddell
Burzynski	Fowler	Jackson	Parker	Wagner
Cavanaugh	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prince	Weber
Colné	Garbe	Lewis	Ralston	Weimert
Conklin	Geoghagan	Loos	Reece	Wells
Conrad	Glore	Lowe	Robinson	West
Croak	Gluck	Lupton	Rogers	Whitley
Cunningham	Glynn	Maher	Schmidt	Whitney F G
Cuvillier	Goldberg	Mallon	Schoeneck	Whitney G H
De Groot	Gray	Mance	Schulz	Wood
Dobbs	Green	Marlatt	Sheridan	Yale
Dominy	Gunderman	Matthews	Shuttleworth	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2476) entitled "An act to amend the Primary Election Law, in relation to correcting the enrollment books in cities containing a population of one million or over." (Int. No. 1762.)

Said bill having been announced for a second reading,

On motion of Mr. Prentice, and by unanimous consent, said bill was made a special order on second and third reading for Tuesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 2328) entitled "An act to authorize the board of trustees of the village of Waterloo, in the county of Seneca, to issue bonds for the payment of the existing indebtedness of said village." (Int. No. 1685.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Merritt	Sinclair
Averill	Draper	Hammond	Miller	Smith A E
Baldwin	Dudley	Hamn	Mills	Smith C
Blue	Duell	Harawitz	Mooney	Smith Myron
Bohan	Eagleton	Harper	Morgan	Staley
Boshart	Eggleston	Harris	Murphy C F	Stern
Brady	Eichhorn	Hart	Murphy G W	Stevenson
Brooks	Ferguson	Hastings	Nevins	Stratton
Brough	Feth	Hoey	Newton	Surplless
Brown	Filley	Holmes	Northrup	Todd
Buckley	Flanagan	Hooper	Norton	Volk
Burhyte	Foley C F	Hubbs	O'Brian	Voss
Burns	Foley J A	Hurd	Oliver	Waddell
Burzynski	Fowler	Jackson	Parker	Wagner
Cavanaugh	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prince	Weber
Colné	Garbe	Lewis	Ralston	Weimert
Conklin	Geoghagan	Loos	Reece	Wells
Conrady	Glore	Lowe	Robinson	West
Croak	Gluck	Lupton	Rogers	Whitley
Cunningham	Glynn	Maher	Schmidt	Whitney F G

Cuvillier	Goldberg	Mallon	Schoeneck	Whitney G H
De Groot	Gray	Mance	Schulz	Wood
Dobbs	Green	Marlatt	Sheridan	Yale
Dominy	Gunderman	Matthews	Shuttleworth	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2401) entitled "An act to amend the Primary Election Law, generally." (Int. No. 1630.)

Said bill having been announced for a second reading,

On motion of Mr. Prentice, and by unanimous consent, said bill was made a special order on third reading for Tuesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 1179) entitled "An act to amend the Penal Code, relating to the issue and redemption of trading stamps and similar devices." (Int. No. 1020.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Merritt	Sinclair
Averill	Draper	Hammond	Miller	Smith A E
Baldwin	Dudley	Hamn	Mills	Smith C
Blue	Duell	Harawitz	Mooney	Smith Myron
Bohan	Eagleton	Harper	Morgan	Staley
Boshart	Eggleston	Harris	Murphy C F	Stern
Brady	Eichhorn	Hart	Murphy G W	Stevenson
Brooks	Ferguson	Hastings	Nevins	Stratton
Brough	Feth	Hoey	Newton	Surpluss
Brown	Filley	Holmes	Northrup	Todd
Buckley	Flanagan	Hooper	Norton	Volk
Burhyte	Foley C F	Hubbs	O'Brian	Voss
Burns	Foley J A	Hurd	Oliver	Waddell
Burzynski	Fowler	Jackson	Parker	Wagner
Cavanaugh	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prince	Weber

Colne	Garbe	Lewis	Ralston	Weimert
Conklin	Geoghagan	Loos	Reece	Wells
Conrady	Glore	Lowe	Robinson	West
Croak	Gluck	Lupton	Rogers	Whitley
Cunningham	Glynn	Maher	Schmidt	Whitney F G
Cuvillier	Goldberg	Mallon	Schoeneck	Whitney G H
De Groot	Gray	Mance	Schulz	Wood
Dobbs	Green	Marlatt	Sheridan	Yale
Dominy	Gundermann	Matthews	Shuttleworth	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

The bill (No. 209) entitled "An act regulating transfers on street railroads" (Int. No. 209), was read the second time

On motion of Mr. Hackett, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1326) entitled "An act to amend chapter four hundred and sixty-six of the Laws of nineteen hundred and one, entitled 'An act to provide for the reimbursement of the expenses and disbursements paid and incurred by the several justices of the Supreme Court, who are designated as justices of the Appellate Division of that court,' by including compensation to trial justices relative to the payment of such expenses" (Int. No. 1121), having been announced for second reading,

Mr. Patton moved to amend as follows:

On page 1, in the title, after the word "and" insert the words "sixty-eight".

On same page, line 1, after the word "and" insert the words "sixty-eight".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to the order of second reading.

The bill (No. 503) entitled "An act to require the construction of an elevated railroad station between One Hundred and Twentieth street and One Hundred and Twenty-first street on Eighth avenue, in the city of New York" (Int. No. 490), was read the second time.

On motion of Mr. Reece, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2187) entitled "An act to amend section one hundred and three of the Railroad Law with respect to the aban-

donment of part of route, temporary removal of rails, temporary discontinuance of operation and relocation of railroads and routes in cities of the first class " (Int. No. 1624), was read the second time.

On motion of Mr. Sheridan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1799) entitled "An act to amend chapter three of the general laws, known as the Civil Service Law " (Int. No. 230), having been announced for second reading,

Mr. Cuvillier raised the point of order that the title of the bill was defective as it made no reference to the proposed amendment.

Mr. Speaker declared the point of order well taken.

Ordered, That said bill be reprinted and restored to the order of second reading.

The bill (No. 1490) entitled "An act to amend the Civil Service Law in respect to the registration of laborers " (Int. No. 1238), having been announced for a second reading,

On motion of Mr. Jackson, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 2321) entitled "An act to amend the Code of Criminal Procedure, in relation to testimony as to the sanity or insanity of defendant " (Int. No. 1677), having been announced for a second reading,

On motion of Mr. Moreland, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday, May 8th.

The bill (No. 2431) entitled "An act to amend the Penal Code, in relation to enticing inmates from certain State institutions " (Int. No. 1737), was read the second time.

On motion of Mr. Hammond, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2502) entitled "An act to provide for an additional supply of pure and wholesome water for the village of Peekskill; for the acquisition of lands or interest therein, and for the construction of the necessary reservoir, dams and other appurtenances for that purpose " (Int. No. 1362), having been announced for second reading,

Mr. Yale moved to amend as follows:

Amend section three by adding at the end thereof, after the word "name" in line 8, page 3, the words "Nothing contained in this act shall authorize the village of Peekskill to acquire any rights soever in Lake Oscawana".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to the order of second reading.

The bill (No. 2501) entitled "An act to amend the Code of Civil Procedure, in relation to a stenographer for the County Court of Richmond county" (Int. No. 304), was read the second time.

On motion of Mr. Croak, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2500) entitled "An act to amend the Code of Criminal Procedure, relative to warrant issued by certain judicial officers" (Int. No. 1574), was read the second time.

On motion of Mr. Hammond, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2499) entitled "An act to amend section three hundred and eighty-two of the Penal Code, relative to frauds on hotel-keepers" (Int. No. 1443), was read the second time.

On motion of Mr. Prentice, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2498) entitled "An act to amend the Penal Code, relating to the pledge of tools and implements of mechanics" (Int. No. 1552), was read the second time.

On motion of Mr. Francis, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 592) entitled "An act to amend section three hundred and eighty-four-h of the Penal Code, relative to hours of labor to be required by employees of a corporation operating a line of railroad thirty miles in length, or over" (Rec. No. 239), was read the second time.

On motion of Mr. Prentice, said bill was placed on the order of third reading.

The Senate bill (No. 1143) entitled "An act to amend section

seven hundred and fifty of the Code of Criminal Procedure of the State of New York, in relation to appeals" (Rec. No. 228), having been announced for second reading,

Mr. Patton moved to amend as follows:

On page 2, lines 3 and 4, after the word "effect" strike out the words "September first, nineteen and seven" and insert the word "immediately" after the word "effect".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to the order of second reading.

The bill (No. 2436) entitled "An act to amend the Election Law, relative to form of ballots and canvass of the vote on voting machines" (Int. No. 1518), having been announced for third reading,

Mr. Glynn moved that said bill be recommitted to the committee on the judiciary, with instructions to report the same forthwith amended as follows:

On page 3, strike out all italicized words in lines 7, 8, 9, 10, 11, 12, 13 and first five words and three zeros in line 14.

Page 3, line 14, strike out word "who" at end of line; strike out all of line 15, and first five words in line 16.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Merritt	Sinclair
Averill	Draper	Hammond	Miller	Smith A E
Baldwin	Dudley	Hamn	Mills	Smith C
Blue	Duell	Harawitz	Mooney	Smith Myron
Bohan	Eagleton	Harper	Morgan	Staley

Boshart	Eggleston	Harris	Murphy C F	Stern
Brady	Eichhorn	Hart	Murphy G W	Stevenson
Brooks	Ferguson	Hastings	Nevins	Stratton
Brough	Feth	Hoey	Newton	Surpless
Brown	Filley	Holmes	Northrup	Todd
Buckle	Flanagan	Hooper	Norton	Volk
Burhyte	Foley C F	Hubbs	O'Brian	Voss
Burns	Foley J A	Hurd	Oliver	Waddell
Burzynski	Fowler	Jackson	Parker	Wagner
Cavanaugh	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prince	Weber
Colné	Garbe	Lewis	Ralston	Weimert
Conklin	Geoghagan	Loos	Reece	Wells
Conrady	Glore	Lowe	Robinson	West
Croak	Gluck	Lupton	Rogers	Whitley
Cunningham	Glynn	Maher	Schmidt	Whitney F G
Cuvillier	Goldberg	Mallon	Schoeneck	Whitney G H
De Groot	Gray	Mance	Schulz	Wood
Dobbs	Green	Marlatt	Sheridan	Yale
Dominy	Gunderman	Matthews	Shuttleworth	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 1257) entitled "An act to amend the Insanity Law, relative to the erection, alteration, repairs and improvements of State hospital buildings" (Rec. No. 270), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Merritt	Sinclair
Averill	Draper	Hammond	Miller	Smith A E
Baldwin	Dudley	Hamn	Mills	Smith C
Blue	Duell	Harawitz	Mooney	Smith Myron
Bohan	Eagleton	Harper	Morgan	Staley
Boshart	Eggleston	Harris	Murphy C F	Stern
Brady	Eichhorn	Hart	Murphy G W	Stevenson
Brooks	Ferguson	Hastings	Nevins	Stratton
Brough	Feth	Hoey	Newton	Surpless
Brown	Filley	Holmes	Northrup	Todd
Buckle	Flanagan	Hooper	Norton	Volk
Burhyte	Foley C F	Hubbs	O'Brian	Voss
Burns	Foley J A	Hurd	Oliver	Waddell
Burzynski	Fowler	Jackson	Parker	Wagner

Chamberlain	Francis	Keller	Patton	Walters
Cavanaugh	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prince	Weber
Colné	Garbe	Lewis	Ralston	Weimert
Conklin	Geoghagan	Loos	Reece	Wells
Conrady	Glore	Lowe	Robinson	West
Croak	Gluck	Lupton	Rogers	Whitley
Cunningham	Glynn	Maher	Schmidt	Whitney F G
Cuvillier	Goldberg	Mallon	Schoeneck	Whitney G H
De Groot	Gray	Mance	Schulz	Wood
Dobbs	Green	Marlatt	Sheridan	Yale
Dominy	Gunderman	Matthews	Shuttleworth	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 955) entitled "An act to amend the Consolidated School Law, in relation to the payment by the county of school taxes returned as unpaid in the county of Suffolk" (Rec. No. 243), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Merritt	Sinclair
Averill	Draper	Hammond	Miller	Smith A E
Baldwin	Dudley	Hamn	Mills	Smith C
Blue	Duell	Harawitz	Mooney	Smith Myron
Bohan	Eagleton	Harper	Morgan	Staley
Boshart	Eggleston	Harris	Murphy C F	Stern
Brady	Eichhorn	Hart	Murphy G W	Stevenson
Brooks	Ferguson	Hastings	Nevins	Stratton
Brough	Feth	Hoey	Newton	Surpluss
Brown	Filley	Holmes	Northrup	Todd
Buckley	Flanagan	Hooper	Norton	Volk
Burhyte	Foley C F	Hubbs	O'Brian	Voss
Burns	Foley J A	Hurd	Oliver	Waddell
Burzynski	Fowler	Jackson	Parker	Wagner
Cavanaugh	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prince	Weber
Colné	Garbe	Lewis	Ralston	Weimert
Conklin	Geoghagan	Loos	Reece	Wells
Conrady	Glore	Lowe	Robinson	West
Croak	Gluck	Lupton	Rogers	Whitley

Cunningham	Glynn	Maher	Schmidt	Whitney F G
Cuvillier	Goldberg	Mallon	Schoeneck	Whitney G H
De Groot	Gray	Mance	Schulz	Wood
Dobbs	Green	Marlatt	Sheridan	Yale
Dominy	Gunderman	Matthews	Shuttleworth	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 619) entitled "An act to regulate the transfer of goods in bulk" (Rec. No. 266), having been announced for a third reading,

On motion of Mr. Patton, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The Senate bill (No. 875) entitled "An act to repeal section four of chapter four hundred and ninety of the Laws of eighteen hundred and eighty-eight, entitled 'An act for the incorporation of societies for the prevention of cruelty to animals and to amend sections six hundred and fifty-six and six hundred and sixty-eight of the Penal Code, relating to cruelty to animals'" (Rec. No. 291), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Merritt	Sinclair
Averill	Draper	Hammond	Miller	Smith A E
Baldwin	Dudley	Hamn	Mills	Smith C
Blue	Duell	Harawitz	Mooney	Smith Myron
Bohan	Eagleton	Harper	Morgan	Staley
Boshart	Eggleston	Harris	Murphy C F	Stern
Brady	Eichhorn	Hart	Murphy G W	Stevenson
Brooks	Ferguson	Hastings	Nevins	Stratton
Brough	Feth	Hoey	Newton	Surpless
Brown	Filley	Holmes	Northrup	Todd
Buckley	Flanagan	Hooper	Norton	Volk
Burhyte	Foley C F	Hubbs	O'Brian	Voss
Burns	Foley J A	Hurd	Oliver	Waddell

Burzynski	Fowler	Jackson	Parker	Wagner
Cavanaugh	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prince	Weber
Colné	Garbe	Lewis	Ralston	Weimert
Conklin	Geoghagan	Loos	Reece	Wells
Conrady	Glore	Lowe	Robinson	West
Croak	Gluck	Lupton	Rogers	Whitley
Cunningham	Glynn	Maher	Schmidt	Whitney F G
Cuvillier	Goldberg	Mallon	Schoeneck	Whitney G H
De Groot	Gray	Mance	Schulz	Wood
Dobbs	Green	Marlatt	Sheridan	Yale
Dominy	Gunderman	Matthews	Shuttleworth	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 442) entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relative to the duties and powers of clerks" (Rec. No. 65), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Merritt	Sinclair
Averill	Draper	Hammond	Miller	Smith A E
Baldwin	Dudley	Hamn	Mills	Smith C
Blue	Duell	Harawitz	Mooney	Smith Myron
Bohan	Eagleton	Harper	Morgan	Staley
Boshart	Eggleston	Harris	Murphy C F	Stern
Brady	Eichhorn	Hart	Murphy G W	Stevenson
Brooks	Ferguson	Hastings	Nevins	Stratton
Brough	Feth	Hoe	Newton	Surpluss
Brown	Filley	Holmes	Northrup	Todd
Buckley	Flanagan	Hooper	Norton	Volk
Burhyte	Foley C F	Hubbs	O'Brian	Voss
Burns	Foley J A	Hurd	Oliver	Waddell
Burzynski	Fowler	Jackson	Parker	Wagner
Cavanaugh	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prince	Weber
Colné	Garbe	Lewis	Ralston	Weimert

Conklin	Geoghagan	Loos	Reece	Wells
Conrady	Glore	Lowe	Robinson	West
Croak	Gluck	Lupton	Rogers	Whitley
Cunningham	Glynn	Maher	Schmidt	Whitney F G
Cuvillier	Goldberg -	Mallon	Schoeneck	Whitney G H
De Groot	Gray	Mance	Schulz	Wood
Dobbs	Green	Marlatt	Sheridan	Yale
Dominy	Gunderman	Matthews	Shuttleworth	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 894) entitled "An act to amend the Insurance Law, in relation to certificates of authority of agents, and the filing of such certificates " (Rec. No. 220), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Surpluss
Buckley	Flanagan	Hooper	Northrup	Todd
Burhyte	Foley C F	Hubbs	Norton	Volk
Burns	Foley J A	Hurd	O'Brian	Voss
Burzynski	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Keller	Parker	Wagner
Chamberlain	Frisbie	Lausing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. C. Smith offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 2183, Int. No. 1620) entitled "An act to amend the forest, fish and game law, in relation to fishing in Otsego lake," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk delivered said resolution to the Senate and request their concurrence therein.

The Senate returned the Assembly bill (No. 1530, Senate reprint No. 1336, Int. No. 1022) entitled "An act authorizing the selection of lands as a site for the Eastern New York State Custodial Asylum, and establishing the said asylum," with a message that they have concurred in the passage of the same, with the following amendments:

On page 3, insert after line 24, the following: "7. The sum of one thousand dollars (\$1,000), or so much thereof as may be necessary, is hereby appropriated out of any money in the treasury not otherwise appropriated, to be expended upon drafts made by the commission and the audit and warrant of the comptroller, in payment of the expenses incurred by the commission in carrying out the provisions of this act."

Same page, line 25, strike out "7" and insert in lieu thereof "8".

Mr. Moreland moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoe	Nevins	Stratton
Brown	Filley	Holmes	Newton	Surples
Buckley	Flanagan	Hooper	Northrup	Todd
Burhyte	Foley C F	Hubbs	Norton	Volk
Burns	Foley J A	Hurd	O'Brian	Voss
Burzynski	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Keller	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Waters
Cole	Ganly	Lee	Phillips	Weber
Colné	Garbe	Lewis	Prince	Weimert
Conklin	Geoghagan	Loos	Ralston	Wells
Conrady	Glore	Lowe	Reece	West
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Wood
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gundermann	Matthews	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 2183, Int. No. 1620) entitled "An act to amend the Forest, Fish and Game Law, in relation to fishing in Otsego lake," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Mead, of Albany, was excused until Monday evening next.

The privileges of the floor were extended to Hon. E. E. Charles, Hon. D. E. Bass and District Attorney Jerome of New York.

On motion of Mr. Moreland, the House adjourned.

## TUESDAY, APRIL 30, 1907.

The House met pursuant to adjournment.

Prayer by Rev. Charles W. Heisler.

On motion of Mr. Moreland, the reading of the journal of yesterday was dispensed with, and the same was approved.

Mr. Dowling gives notice that he requests that Assembly bill (No. 2505, Int. No. 1767) entitled "An act to amend the Tenement House Act, in relation to buildings of a certain character," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Prentice gives notice that he requests that Assembly bill (No. 1770, Int. No. 1388) entitled "An act to amend the Penal Code, relative to the admission of children under sixteen years of age to places of public amusement," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Prentice gives notice that he requests that Assembly bill (No. 2425, Int. No. 1731) entitled "An act to amend the Greater New York charter, in relation to the police department of the city of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Hammond gives notice that he requests that Assembly bill (No. 1737, Int. No. 1366) entitled "An act to reappropriate for the erection of a State armory and stable in the city of Syracuse, as provided for by chapter seven hundred and forty-three of the Laws of nineteen hundred and five," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. A. E. Smith gives notice that he requests that Assembly bill (No. 2076, Int. No. 1563) entitled "An act authorizing the

fire commissioner of the city of New York to rehear the charges upon which John J. Lyons, formerly a fireman in the fire department of said city, was dismissed from said department and to reinstate him in his former position," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Rogers gives notice that he requests that Assembly bill (No. 2512, Int. No. 1774) entitled "An act to amend the Insurance Law, relative to the incorporation of fire insurance corporations," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. F. G. Whitney gives notice that he requests that Assembly bill (No. 2513, Int. No. 1775) entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of Oswego,' relative to the powers of policemen of said city," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Hammond gives notice that he requests that Assembly bill (No. 2500, Int. No. 1574) entitled "An act to amend the Code of Criminal Procedure, relative to warrant issued by certain judicial officers," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Duell gives notice that he requests that Assembly bill (No. 2460, Int. No. 1752) entitled "An act to empower the common council of the city of New Rochelle to issue and sell bonds for the purpose of defraying the expense of certain public improvements," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Lewis gives notice that he requests that Assembly bill (No. 2250, Int. No. 798) entitled "An act to provide for the construction of a stone or concrete retaining wall, on the north-erly side of Oneida creek in the village of Oneida Castle, and making an appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Hamn gives notice that he requests that Assembly bill (No. 2495, Int. No. 1761) entitled "An act to revise, amend and consolidate the various acts relating to the village of Lyons, in the county of Wayne, and to repeal certain acts and parts of acts affecting such village," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Mills gives notice that he requests that Assembly bill (No. 2414, Int. No. 1720) entitled "An act to amend section one hundred and ninety-three of chapter two hundred and seventy-five of the Laws of eighteen hundred and ninety-nine, entitled 'An act to revise the charter of the city of Gloversville,' in relation to the purchase of school sites, and the erection and enlargement of school buildings; tax elections; the borrowing of money, and issue and sale of bonds," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Loos gives notice that he requests that Assembly bill (No. 2411, Int. No. 1717) entitled "An act authorizing the board of commissioners of the sinking fund in the city of New York to cancel and annul certain unpaid taxes upon the real estate, in said city, belonging to the Friendly Aid Society," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. O'Brian gives notice that he requests that Assembly bill (No. 2336, Int. No. 1694) entitled "An act to amend chapter

one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' relating to the official printing of said city," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Prentice gives notice that he requests that Assembly bill (No. 2499, Int. No. 1443) entitled "An act to amend section three hundred and eighty-two of the Penal Code, relative to frauds on hotel-keepers," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Schoeneck gives notice that he requests that Assembly bill (No. 2237, Int. No. 1646) entitled "An act to extend the time for the Syracuse, Skaneateles and Moravia Railroad Company to begin the construction of its road and expend thereon ten per centum of its capital, and finish and put the same in operation," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Robinson gives notice that he requests that Assembly bill (No. 2238, Int. No. 1647) entitled "An act to limit the time within which actions may be brought for the removal of or for damages for the erection or maintenance of bay windows or ornamental projections in the city of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Volk gives notice that he requests that Assembly bill (No. 2481, Int. No. 1759) entitled "An act to authorize the city of Olean to acquire the reversionary interest and estate in the lands constituting the public square in said city," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Volk gives notice that he requests that Assembly bill (No. 2480, Int. No. 1758) entitled "An act to authorize the city of Olean to sell and convey to the United States of America a portion of the public square in said city," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. F. G. Whitney gives notice that he requests that Assembly bill (No. 2493, Int. No. 1553) entitled "An act to amend the Liquor Tax Law, in relation to violations and penalties, jurisdiction of courts and reports of magistrates and duties and fees of sheriffs," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Wainwright gives notice that he requests that Assembly bill (No. 2294, Int. No. 1669) entitled "An act to amend the State Charities Law, in relation to the number of members of the State Board of Charities, a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Yale gives notice that he requests that Assembly bill (No. 2331, Int. No. 1688) entitled "An act to extend the time within which the Danbury and Harlem Traction Company shall finish its road and put it in operation beyond its present construction and operation," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Moreland gives notice that he requests that the Senate bill (No. 1066, Rec. No. 199) entitled "An act making an appropriation for the State's proportion of the amounts appropriated for the repair of highways, pursuant to section fifty-three of the Highway Law," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Schoeneck gives notice that he requests that the Senate bill (No. 1331, Rec. No. 323) entitled "An act to amend the Tax Law, in relation to the recording tax on mortgages," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

The Senate sent for concurrence the following entitled bills:

"An act to amend an act, entitled 'An act to facilitate the construction of the Middleburgh and Schoharie railroad, and to regulate the weight of rail and the fare on the same,' passed May eighth, eighteen hundred and sixty-seven" (No. 1158, Rec. No. 324), which was read the first time and referred to the committee on railroads.

"An act to repeal chapter two hundred and thirty-one of the Laws of eighteen hundred and ninety-three, entitled 'An act to legalize the agreement between the Binghamton and Port Dickinson Railroad Company, the Binghamton Street Railroad Company and the city of Binghamton, New York'" (No. 708, Rec. No. 325), which was read the first time and referred to the committee on railroads.

"An act in relation to the Court of General Sessions of the county of New York" (No. 1414, Rec. No. 326), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Eichhorn introduced a bill entitled "An act to widen and improve a certain street in the borough of Brooklyn, city of New York" (Int. No. 1825), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. C. F. Foley introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to payment to villages in Niagara county of one-half the revenue derived from such villages" (Int. No. 1826), which was read the first time and referred to the committee on excise.

By unanimous consent, Mr. Robinson introduced a bill entitled "An act providing for the Court of General Sessions of the city and county of New York, its judges and officers" (Int. No.

1827), which was read the first time and referred to the committee on affairs of cities.

Also, by unanimous consent, "An act to amend chapter two of title four of part four of the Code of Criminal Procedure of the State of New York, entitled 'Formation of the grand jury, its powers and duties'" (Int. No. 1828), which was read the first time and referred to the committee on codes.

Also, by unanimous consent, "An act to amend chapter three of title five of part one of the Code of Criminal Procedure of the State of New York, entitled 'The Court of General Sessions in the city and county of New York'" (Int. No. 1829), which was read the first time and referred to the committee on affairs of cities.

Also, by unanimous consent, "An act to amend chapter four hundred and ten of the Laws of eighteen hundred and eighty-two, as amended by chapter six hundred and ninety-six of the Laws of eighteen hundred and ninety-five, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, relative to assistant district attorneys in the county of New York'" (Int. No. 1830), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. C. F. Foley introduced a bill entitled "An act to amend the Highway Law, in relation to exempting certain villages from the payment of highway tax in towns" (Int. No. 1831), which was read the first time and referred to the committee on internal affairs.

By unanimous consent, Mr. Prentice introduced a bill entitled "An act to amend the Primary Election Law, in relation to certified copies of certain enrollment records" (Int. No. 1832), which was read the first time and referred to the committee on the judiciary.

By unanimous consent, Mr. Haines introduced a bill entitled "An act to prohibit the erection of elevated railroad structures in the city of Yonkers" (Int. No. 1833), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Haines introduced a bill entitled "An act to empower the Commissioners of the Land Office to re-

lease to Charles W. Dayton all the right, title and interest of the people of the State of New York in and to certain real estate in the city, formerly town of Yonkers, county of Westchester, State of New York, acquired by escheat or forfeiture upon the death of Charles Scola and Carlo Scola" (Int. No. 1834), which was read the first time and referred to the committee on ways and means.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Dowling (No. 2505, Int. No. 1767), entitled "An act to amend the Tenement-House Act, in relation to buildings of a certain character," reported the same with the following amendment:

Page 2, line 4, strike out the word "widow" and insert in place thereof the word "window".

and requests that said bill be reprinted, as amended, and re-committed to said committee, which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill (No. 1737, Int. No. 1366) entitled "An act to reappropriate money for the erection of a State armory and stable in the city of Syracuse, as provided for by chapter seven hundred and forty-three of the Laws of nineteen hundred and five."

Also, Assembly bill introduced by Mr. Prentice (No. 2425, Int. No. 1731), entitled "An act to amend the Greater New York charter, in relation to the police department of the city of New York."

Also, Assembly bill introduced by Mr. Rogers (No. 2512, Int. No. 1774), entitled "An act to amend the Insurance Law, relative to the incorporation of fire insurance corporations."

Also, Assembly bill introduced by Mr. A. E. Smith (No. 2076, Int. No. 1563), entitled "An act authorizing the fire commissioner of the city of New York to rehear the charges upon which John J. Lyons, formerly a fireman in the fire department of said city, was dismissed from said department, and to reinstate him in his former position."

Also, Assembly bill introduced by Mr. F. G. Whitney (No.

2513, Int. No. 1775), entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of Oswego,' relative to the powers of policemen of said city," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Prentice (No. 1770, Int. No. 1388), entitled "An act to amend the Penal Code, relative to the admission of children under sixteen years of age to places of public amusement," reported in favor of the passage of the same, with the following amendments:

Page 1, line 5, after the word "away" insert the following: "or in any place where any kinetoscope exhibition, movable panorama, exhibition of moving pictures, or any device for the reproduction of vocal or instrumental music, or for the reproduction of any other performance, is publicly displayed or conducted".

Page 1, line 6, strike out the word "public".

Same page, same line, strike out the brackets.

and that the same be reprinted, as amended, and when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported, which report was agreed to, and said bill ordered reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Duell (No. 2460, Int. No. 1752), entitled "An act to empower the common council of the city of New Rochelle to issue and sell bonds for the purpose of defraying the expense of certain public improvements."

Also, Assembly bill introduced by Mr. Hammond (No. 2500, Int. No. 1574), entitled "An act to amend the Code of Criminal Procedure, relative to warrant issued by certain judicial officers."

Also, Assembly bill introduced by Mr. Hamn (No. 2495, Int. No. 1761), entitled "An act to revise, amend and consolidate the various acts relating to the village of Lyons, in the county of Wayne, and to repeal certain acts and parts of acts affecting such village."

Also, Assembly bill introduced by Mr. Lewis (No. 2250, Int. No. 798), entitled "An act to provide for the construction of a stone or concrete retaining wall on the northerly side of Oneida creek in the village of Oneida Castle, and making an appropriation therefor."

Also, Assembly bill introduced by Mr. Loos (No. 2411, Int. No. 1717), entitled "An act authorizing the board of commissioners of the sinking fund in the city of New York to cancel and annul certain unpaid taxes upon the real estate, in said city, belonging to the Friendly Aid Society."

Also, Assembly bill introduced by Mr. Mills (No. 2414, Int. No. 1720), entitled "An act to amend section one hundred and ninety-three of chapter two hundred and seventy-five of the Laws of eighteen hundred and ninety-nine, entitled 'An act to revise the charter of the city of Gloversville,' in relation to the purchase of school sites, and the erection and enlargement of school buildings; tax elections; the borrowing of money and issue and sale of bonds."

Also, Assembly bill introduced by Mr. O'Brian (No. 2336, Int. No. 1694), entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' relating to the official printing of said city."

Also, Assembly bill introduced by Mr. Prentice (No. 2499, Int. No. 1443), entitled "An act to amend section three hundred and eighty-two of the Penal Code, relative to frauds on hotel-keepers."

Also, Assembly bill introduced by Mr. Robinson (No. 2238, Int. No. 1647), entitled "An act to limit the time within which actions may be brought for the removal of or for damages for the erection or maintenance of bay windows or ornamental projections in the city of New York."

Also, Assembly bill introduced by Mr. Schoeneck (No. 2237, Int. No. 1646), entitled "An act to extend the time for the Syracuse, Skaneateles and Moravia Railroad Company to begin the construction of its road and expend thereon ten per centum of its capital, and finish and put the same in operation."

Also, Assembly bill introduced by Mr. Volk (No. 2480, Int. No. 1758), entitled "An act to authorize the city of Olean to sell and convey to the United States of America a portion of the public square in said city."

Also, Assembly bill introduced by Mr. Volk (No. 2481, Int. No. 1759), entitled "An act to authorize the city of Olean to acquire the reversionary interest and estate in the lands constituting the public square in said city."

Also, Assembly bill introduced by Mr. Wainwright (No. 2294, Int. No. 1669), entitled "An act to amend the State Charities Law, in relation to the number of members of the State Board of Charities."

Also, Assembly bill introduced by Mr. F. G. Whitney (No. 2493, Int. No. 1553), entitled "An act to amend the Liquor Tax Law, in relation to violations and penalties, jurisdiction of courts and reports of magistrates, and duties and fees of sheriffs."

Also, Assembly bill introduced by Mr. Yale (No. 2331, Int. No. 1688), entitled "An act to extend the time within which the Danbury and Harlem Traction Company shall finish its road and put it in operation beyond its present construction and operation," reported in favor of the passage of the same without amendment, and that the same be made a special order on third reading immediately, which report was agreed to, and said bills ordered made special orders on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Allds (No. 1066, Rec. No. 199), entitled "An act making an appropriation for the State's proportion of the amounts appropriated for the repair of highways, pursuant to section fifty-three of the Highway Law."

Also, Senate bill introduced by committee on taxation and trenchment (No. 1331, Rec. No. 323), entitled "An act to amend the Tax Law, in relation to the recording tax on mortgages," reported in favor of the passage of the same without amendment,

and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. West, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

“An act to amend the State Printing Law, relative to printing of legislative journals.” (No. 2459, Int. No. 1751.)

“An act to amend the Code of Criminal Procedure, relative to warrant issued by certain judicial officers.” (No. 2500, Int. No. 1574.)

“An act to amend chapter six hundred and eighty-nine of the Laws of eighteen hundred and ninety-two, entitled ‘An act in relation to banking corporations, being chapter thirty-seven of the general laws.’” (No. 1809, Int. No. 1419.)

“An act to amend the Penal Code, relating to the issue and redemption of trading stamps and similar devices.” (No. 1179, Int. No. 1020.)

“An act to legalize the acts of Addison S. Pratt, a notary public.” (No. 2454, Int. No. 1746.)

Mr. Speaker announced the special order, being the bill (No. 2434) entitled “An act to amend the Highway Law, relating to the cutting and removal of noxious weeds and brush and providing for the same when the highway is in the boundary lines between two or more towns.” (Int. No. 750.)

Said bill having been announced for a third reading, on motion of Mr. Stratton, and by unanimous consent, said bill was made a special order on third reading for Thursday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 1772) entitled “An act to amend the Code of Criminal Procedure, relative to the appointment of probationary officers, and defining their duties, and with relation to criminal statistics.” (Int. No. 1390.)

Said bill having been announced for a third reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was made a special order on third reading for Wednesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 1773) entitled "An act to amend section two hundred and ninety-one of the Penal Code of the State of New York." (Int. No. 1391.)

Said bill having been announced for a third reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was made a special order on third reading for Wednesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 1774) entitled "An act to authorize the board of estimate and apportionment of the city of New York to hear, determine, audit and allow claims of certain persons for services as probation officers in the city of New York, and directing the comptroller to pay such claims as may be allowed for such services by said board." (Int. No. 1393.)

Said bill having been announced for a third reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was made a special order on third reading for Wednesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 1776) entitled "An act to amend chapter fourteen of the Laws of eighteen hundred and eighty, entitled 'An act to further amend chapter one hundred and forty-three of the Laws of eighteen hundred and sixty-one, entitled "An act to amend and consolidate the several acts in relation to the charter of the city of Rochester," and to consolidate therewith the several acts in relation to the charter of said city." (Int. No. 1395.)

Said bill having been announced for a third reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was made a special order on third reading for Wednesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 1789) entitled "An act to amend the Greater New York charter, relative to the commitment of persons convicted of public intoxication, disorderly conduct and vagrancy." (Int. No. 1392.)

Said bill having been announced for a third reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was made a special order on third reading for Wednesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 2403) entitled "An act in relation to probation in the State of New York, constituting chapter fifty-two of the general laws." (Int. No. 1389.)

Said bill having been announced for a third reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was made a special order on third reading for Wednesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 2401) entitled "An act to amend the Primary Election Law, generally." (Int. No. 1630.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 93

NOES 45

Those who voted in the affirmative were:

Allen	Dowling	Hart	Morgan	Smith C
Apgar	Draper	Hastings	Murphy C F	Stanton
Averill	Dudley	Hooper	Murphy G W	Stevenson
Baldwin	Duell	Hubbs	Nevins	Surpless
Blue	Eggleston	Hurd	Newton	Volk
Boshart	Eichhorn	Lansing	Norton	Voss
Brady	Ferguson	Lee	O'Brian	Waddell
Brooks	Filley	Lewis	Parker	Wainwright
Brough	Fowler	Lowe	Patton	Waters
Brown	Francis	Lupton	Phillips	Weber
Burhyte	Frisbie	Maher	Prentice	Weimert
Chamberlain	Glore	Mance	Ralston	Wells
Cole	Gray	Marlatt	Reece	West
Colné	Green	Matthews	Robinson	Whitley
Conklin	Gunderman	McCue	Rogers	Whitney F G
Conrady	Haines	Merritt	Schoeneck	Whitney G H
Cunningham	Hamilton	Miller	Shuttleworth	Wood
De Groot	Hammond	Mills	Sinclair	Yale
Dominy	Harris	Moreland		

Those who voted in the negative were:

Baumann	Donnelly	Gluck	Jackson	Schmidt
Bohan	Eagleton	Glynn	Jacobs	Schwegler
Buckley	Farrell	Goldberg	Keller	Sheridan
Burns	Fay	Hackett	Loos	Smith A E
Burzynski	Foley C F	Harawitz	Mallon	Stern
Cavanaugh	Foley J A	Harper	Mooney	Stratton
Croak	Ganly	Hoev	Northrup	Todd
Cuvillier	Garbe	Holmes	Oliver	Wagner
Dobbs	Geoghagan	Huth	Prince	Walters

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2476) entitled "An act to amend the Primary Election Law, in relation to correcting the enrollment books in cities containing a population of one million or over." (Int. No. 1762.)

On motion of Mr. Prentice, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 91

NOES 45

Those who voted in the affirmative were:

Allen	Dowling	Harris	Moreland	Smith C
Apgar	Draper	Hart	Morgan	Stratton
Averill	Dudley	Hastings	Murphy C F	Stevenson
Baldwin	Duell	Hooper	Murphy G W	Surpluss
Blue	Eggleston	Hubbs	Nevins	Volk
Boshart	Eichhorn	Hurd	Newton	Voss
Brady	Ferguson	Lansing	Norton	Waddell
Brooks	Filley	Lee	O'Brian	Wainwright
Brough	Fowler	Lewis	Parker	Waters
Brown	Francis	Lowe	Patton	Weber
Burhyte	Frisbie	Lupton	Phillips	Weimert
Chamberlain	Glore	Maher	Prentice	Wells
Cole	Gray	Mance	Ralston	West
Cole	Green	Marlatt	Reece	Whitley
Conklin	Guendemann	Matthews	Robinson	Whitney F G
Conrady	Haines	Merritt	Rogers	Whitney G H
Cunningham	Hamilton	Miller	Shuttleworth	Wood
De Groot	Hammond	Mills	Sinclair	Yale
Dominy				

Those who voted in the negative were:

Baumann	Donnelly	Gluck	Jackson	Schmidt
Bohan	Eagleton	Glynn	Jacobs	Schwegler
Buckley	Farrell	Goldberg	Keller	Sheridan
Burns	Fay	Hackett	Loos	Smith A E
Burzynski	Foley C F	Harawitz	McCue	Stern
Cavanaugh	Foley J A	Harper	Mooney	Stratton
Croak	Ganly	Hoey	Northrup	Todd
Cuvillier	Garbe	Holmes	Oliver	Wagner
Dobbs	Geoghagan	Huth	Prince	Walters

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2460) entitled "An act to empower the common council of the city of New Rochelle to issue and sell bonds for the purpose of defraying the expense of certain public improvements." ( Int. No. 1752.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Sinclair
Apgar	Dowling	Haines	McCue	Smith A E
Baldwin	Draper	Hamilton	Merritt	Smith C
Baumann	Dudley	Hammond	Miller	Smith Myron
Blue	Duell	Harawitz	Mills	Staley
Bohan	Eagleton	Hooper	Mooney	Stern
Boshart	Eggleston	Harris	Moreland	Stevenson
Brady	Eichhorn	Hart	Murphy C F	Stratton
Brooks	Farrell	Hastings	Murphy G W	Surpluss
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Waddell
Burhyte	Flanagan	Hubbs	Norton	Wagner
Burns	Foley C F	Hurd	O'Brien	Wainwright
Burzynski	Foley J A	Huth	Oliver	Walters
Cavanaugh	Fowler	Jackson	Parker	Waters
Chamberlain	Francis	Jacobs	Patton	Weber
Cole	Ganly	Keller	Phillips	Weimert
Collins	Garbe	Lansing	Prentice	Wells
Colné	Geoghagan	Lee	Ralston	West
Conklin	Glore	Lewis	Reece	Whitley
Conrad	Gluck	Lowe	Rogers	Whitney F G

Croak	Glynn	Lupton	Schmidt	Whitney G H
Cunningham	Goldberg	Maher	Schoeneck	Winters-
Cuvillier	Gray	Mallon	Schulz	Wood
De Groot	Green	Mance	Sheridan	Young
Dobbs	Gunderman	Marlatt	Shuttleworth	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2500) entitled "An act to amend the Code of Criminal Procedure, relative to warrant issued by certain judicial officers." (Int. No. 1574.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Sheridan
Apgar	Dowling	Haines	McCue	Smith A E
Baldwin	Draper	Hamilton	Merritt	Smith C
Baumann	Dudley	Hammond	Miller	Smith Myron
Blue	Duell	Harawitz	Mills	Stanley
Bohan	Eagleton	Harper	Mooney	Stern
Boshart	Eggleston	Harris	Moreland	Stevenson
Brady	Eichhorn	Hart	Murphy C F	Stratton
Brooks	Farrell	Hastings	Murphy G. W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Waddell
Burhyte	Flanagan	Hubbs	Norton	Wagner
Burns	Foley C F	Hurd	O'Brian	Wainwright
Burzynski	Foley J A	Huth	Oliver	Walters
Cavanaugh	Fowler	Jackson	Parker	Waters
Chamberlain	Francis	Jacobs	Patton	Weber
Cole	Ganly	Keller	Prentice	Weimert
Collins	Garbe	Lansing	Ralston	Wells
Colné	Geoghagan	Lee	Reece	West
Conklin	Glore	Lewis	Rogers	Whitley
Conrady	Gluck	Lowe	Schmidt	Whitney F G
Croak	Glynn	Lupton	Schoeneck	Whitney G H
Cunningham	Goldberg	Maher	Schulz	Winters
Culliver	Gray	Mallon	Sheridan	Wood
De Groot	Green	Mance	Shuttleworth	Young
Dobbs	Gunderman	Marlatt		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2495) entitled "An act to revise, amend and consolidate the various acts relating to the village of Lyons, in the county of Wayne, and to repeal certain acts and parts of acts affecting such village." (Int. No. 1761.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Sinclair
Apgar	Dowling	Haines	McCue	Smith A E
Baldwin	Draper	Hamilton	Merritt	Smith C
Baumann	Dudley	Hammond	Miller	Smith Myron
Blue	Duell	Harawitz	Mills	Staley
Bohan	Eagleton	Harper	Mooney	Stern
Boshart	Eggleston	Harris	Moreland	Stevenson
Brady	Eichhorn	Hart	Murphy C F	Stratton
Brooks	Farrell	Hastings	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Waddell
Burhyte	Flanagan	Hubbs	Norton	Wagner
Burns	Foley C F	Hurd	O'Brian	Wainwright
Burzynski	Foley J A	Huth	Oliver	Walters
Cavanaugh	Fowler	Jackson	Parker	Waters
Chamberlain	Francis	Jacobs	Patton	Weber
Cole	Ganly	Keller	Phillips	Weimert
Collins	Garbe	Lansing	Prentice	Wells
Colné	Geoghagan	Lee	Ralston	West
Conklin	Glore	Lewis	Reece	Whitley
Conrady	Gluck	Lowe	Rogers	Whitney F G
Croak	Glynn	Lupton	Schmidt	Whitney G H
Cunningham	Goldberg	Maher	Schoeneck	Winters
Cuvillier	Gray	Mallon	Schulz	Wood
De Groot	Green	Mance	Sheridan	Young
Dobbs	Gunderman	Marlatt	Shuttleworth	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2250) entitled "An act to provide for the construction of a stone or concrete retaining wall on the northerly side of Oneida creek

in the village of Oneida Castle, and making an appropriation therefor." (Int. No. 798.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Sinclair
Apgar	Dowling	Haines	McCue	Smith A E
Baldwin	Draper	Hamilton	Merritt	Smith C
Baumann	Dudley	Hammond	Miller	Smith Myron
Blue	Duell	Harawitz	Mills	Stanley
Bohan	Eagleton	Harper	Mooney	Stern
Boshart	Eggleston	Harris	Moreland	Stevenson
Brady	Eichhorn	Hart	Murphy C F	Stratton
Brooks	Farrell	Hastings	Murphy G W	Surpless
Brough	Ferguson	Hoe	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Waddell
Burhyte	Flanagan	Hubbs	Norton	Wagner
Burns	Foley C F	Hurd	O'Brian	Wainwright
Burzynski	Foley J A	Huth	Oliver	Walters
Cavanaugh	Fowler	Jackson	Parker	Waters
Chamberlain	Francis	Jacobs	Patton	Weber
Cole	Ganly	Keller	Phillips	Weimert
Collins	Garbe	Lansing	Prentice	Wells
Colné	Geoghagan	Lee	Ralston	West
Conklin	Glore	Lewis	Reece	Whitley
Conrady	Gluck	Lowe	Rogers	Whitney F G
Croak	Glynn	Lupton	Schmidt	Whitney G H
Cunningham	Goldberg	Maher	Schoeneck	Winters
Cuvillier	Gray	Mallon	Schulz	Wood
De Groot	Green	Mance	Sheridan	Young
Dobbs	Gunderman	Marlatt	Shuttleworth	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2411) entitled "An act authorizing the board of commissioners of the sinking fund in the city of New York to cancel and annul certain unpaid taxes upon the real estate, in said city, belonging to the Friendly Aid Society." (Int. No. 1717.)

Said bill was then read the third time, having been printed and

upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Haines	Matthews	Shuttleworth
Apgar	Dowling	Hamilton	McCue	Sinclair
Baldwin	Draper	Hammond	Merritt	Smith A E
Baumann	Dudley	Harawitz	Miller	Smith C
Blue	Duell	Harper	Mills	Smith Myron
Bohan	Eagleton	Harris	Mooney	Staley
Boshart	Eggleston	Hart	Moreland	Stern
Brady	Eichhorn	Hastings	Murphy C F	Stevenson
Brooks	Farrell	Hoey	Murphy G W	Stratton
Brough	Ferguson	Holmes	Ne vins	Surpless
Brown	Filley	Hooper	Newton	Todd
Buckley	Flanagan	Hubbs	Northrup	Volk
Burhyte	Foley C F	Hurd	Norton	Waddell
Burns	Foley J A	Huth	O'Brian	Wagner
Burzynski	Fowler	Jackson	Oliver	Wainwright
Cavanaugh	Francis	Jacobs	Parker	Waters
Chamberlain	Ganly	Keller	Patton	Weber
Cole	Garbe	Lansing	Phillips	Weimert
Collins	Geoghagan	Lee	Prentice	Wells
Colné	Glore	Lewis	Ralston	West
Conklin	Gluck	Lowe	Reece	Whitley
Conrady	Glynn	Lupton	Rogers	Whitney F G
Croak	Goldberg	Maher	Schmidt	Whitney G H
Cunningham	Gray	Mallon	Schoeneck	Winters
Cuvillier	Green	Mance	Schulz	Wood
De Groot	Gunderman	Marlatt	Sheridan	Young
Dobbs	Hackett			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2414) entitled "An act to amend section one hundred and ninety-three of chapter two hundred and seventy-five of the Laws of eighteen hundred and ninety-nine, entitled 'An act to revise the charter of the city of Gloversville,' in relation to the purchase of school sites, and the erection and enlargement of school buildings; tax elections; the borrowing of money and issue and sale of bonds." (Int. No. 1720.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Sinclair
Apgar	Dowling	Haines	McCue	Smith A E
Baldwin	Draper	Hamilton	Merritt	Smith C
Baumann	Dudley	Hammond	Miller	Smith Myron
Blue	Duell	Harawitz	Mills	Staley
Bohan	Eagleton	Harper	Mooney	Stern
Boshart	Eggleston	Harris	Moreland	Stevenson
Brady	Eichhorn	Hart	Murphy C F	Stratton
Brooks	Farrell	Hastings	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Waddell
Burhyte	Flanagan	Hubbs	Norton	Wagner
Burns	Foley C F	Hurd	O'Brian	Wainwright
Burzynski	Foley J A	Huth	Oliver	Walters
Cavanaugh	Fowler	Jackson	Parker	Waters
Chamberlain	Francis	Jacobs	Patton	Weber
Cole	Ganly	Keller	Phillips	Weimert
Collins	Garbe	Lansing	Prentice	Wells
Colné	Geoghagan	Lee	Ralston	West
Conklin	Glore	Lewis	Reece	Whitley
Conrady	Gluck	Lowe	Rogers	Whitney F G
Croak	Glynn	Lupton	Schmidt	Whitney G H
Cunningham	Goldberg	Maher	Schoeneck	Winters
Culliver	Gray	Mallon	Schulz	Wood
De Groot	Green	Mance	Sheridan	Young
Dobbs	Gunderman	Marlatt	Shuttleworth	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2336) entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' relating to the official printing of said city." (Int. No. 1694.)

Said bill having been announced for a third reading,

On motion of Mr. O'Brian, and by unanimous consent, said bill was made a special order on third reading for Wednesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 2499) entitled "An act to amend section three hundred and eighty-two of the Penal Code, relative to frauds on hotel-keepers." (Int. No. 1443.)

Said bill having been announced for third reading, Mr. Cuvillier moved that said bill be recommitted to the committee on codes, with instructions to report the same forthwith amended as follows:

On page 2, strike out the words on lines 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and insert the following words after line 5: "Absconds and surreptitiously removes his baggage therefrom without paying for his food, or accommodations or lodging, is guilty of a misdemeanor."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Sinclair
Apgar	Dowling	Haines	McCue	Smith A E
Baldwin	Draper	Hamilton	Merritt	Smith C
Baumann	Dudley	Hammond	Miller	Smith Myron
Blue	Duell	Harawitz	Mills	Staley
Bohan	Eagleton	Harper	Mooney	Stern
Boshart	Eggleston	Harris	Moreland	Stevenson
Brady	Eichhorn	Hart	Murphy C F	Stratton
Brooks	Farrell	Hastings	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Waddell
Burhyte	Flanagan	Hubbs	Norton	Wagner
Burns	Foley C F	Hurd	O'Brian	Wainwright
Burzynski	Foley J A	Huth	Oliver	Walters
Cavanaugh	Fowler	Jackson	Parker	Waters
Chamberlain	Francis	Jacobs	Patton	Weber
Cole	Ganly	Keller	Phillips	Weimert
Collins	Garbe	Lansing	Prentice	Wells
Colné	Geoghagan	Lee	Ralston	West
Conklin	Glore	Lewis	Reece	Whitley

Conrady	Gluck	Lowe	Rogers	Whitney F G
Croak	Glynn	Lupton	Schmidt	Whitney G H
Cunningham	Goldberg	Maher	Schoeneck	Winters
Cuvillier	Gray	Mallon	Schulz	Wood
De Groot	Green	Mance	Sheridan	Young
Dobbs	Gunderman	Marlatt	Shuttleworth	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2238) entitled "An act to limit the time within which actions may be brought for the removal of or for damages for the erection or maintenance of bay windows or ornamental projections in the city of New York." (Int. No. 1647.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Sinclair
Apgar	Dowling	Haines	McCue	Smith A F
Baldwin	Draper	Hamilton	Merritt	Smith C
Baumann	Dudley	Hammond	Miller	Smith Myron
Blue	Duell	Harawitz	Mills	Staley
Bohan	Eagleton	Harper	Mooney	Stern
Boshart	Eggleston	Harris	Moreland	Stevenson
Brady	Eichhorn	Hart	Murphy C F	Stratton
Brooks	Farrell	Hastings	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Waddell
Burhyte	Flanagan	Hubbs	Norton	Wagner
Burns	Foley C F	Hurd	O'Brian	Wainwright
Burzynski	Foley J A	Huth	Oliver	Walters
Cavanaugh	Fowler	Jackson	Parker	Waters
Chamberlain	Francis	Jacobs	Patton	Weber
Cole	Ganly	Keller	Phillips	Weimert
Collins	Garbe	Lansing	Prentice	Wells
Colné	Geoghagan	Lee	Ralston	West
Conklin	Glore	Lewis	Reece	Whitley
Conrady	Gluck	Lowe	Rogers	Whitney F G
Croak	Glynn	Lupton	Schmidt	Whitney G H

Cunningham	Goldberg	Maier	Schoeneck	Winters
Cuvillier	Gray	Mallon	Schulz	Wood
De Groot	Green	Mance	Sheridan	Young
Dobbs	Gunderman	Marlatt	Shuttleworth	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2237) entitled "An act to extend the time for the Syracuse, Skaneateles and Moravia Railroad Company to begin the construction of its road and expend thereon ten per centum of its capital, and finish and put the same in operation." (Int. No. 1646.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 1

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Shuttleworth
Apgar	Dowling	Haines	Matthews	Sinclair
Baldwin	Draper	Hamilton	McCue	Smith A E
Baumann	Dudley	Hammond	Merritt	Smith C
Blue	Duell	Harawitz	Miller	Smith Myron
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Surpless
Brown	Feth	Holmes	Nevins	Volk
Buckley	Filley	Hooper	Newton	Waddell
Burhyte	Flanagan	Hubbs	Norton	Wagner
Burns	Foley C F	Hurd	O'Brian	Wainwright
Burzynski	Foley J A	Huth	Oliver	Walters
Cavanaugh	Fowler	Jackson	Parker	Waters
Chamberlain	Francis	Jacobs	Patton	Weber
Cole	Ganly	Keller	Phillips	Weimert
Collins	Garbe	Lansing	Prentice	Wells
Colné	Geoghagan	Lee	Ralston	West
Conklin	Glore	Lewis	Reece	Whitley
Conrady	Gluck	Lowe	Rogers	Whitney F G
Croak	Glynn	Lupton	Schmidt	Whitney G H
Cunningham	Goldberg	Maier	Schoeneck	Winters
Cuvillier	Gray	Mallon	Schulz	Wood
De Groot	Green	Mance	Sheridan	Young
Dobbs	Gunderman			

In the negative:

rthrup

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2480) entitled "An act to authorize the city of Olean to sell and convey to the United States of America a portion of the public square in said city." (Int. No. 1758.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Shuttleworth
Apgar	Dowling	Haines	McCue	Sinclair
Baldwin	Draper	Hamilton	Merritt	Smith A E
Baumann	Dudley	Hammond	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Moreland	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Farrell	Hastings	Murphy G W	Stratton
Brough	Ferguson	Hoey	Nevins	Surpless
Brown	Feith	Holmes	Newton	Volk
Buckley	Filley	Hubbs	Northrup	Waddell
Burhyte	Flanagan	Hurd	Norton	Wagner
Burns	Foley C F	Huth	O'Brian	Wainwright
Burzynski	Foley J A	Jackson	Oliver	Walters
Cavanaugh	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Ganly	Lansing	Phillips	Weimert
Collins	Garbe	Lee	Prentice	Wells
Colné	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Lowe	Reece	Whitley
Conrady	Gluck	Lupton	Rogers	Whitney F G
Croak	Glynn	Maher	Schmidt	Whitney G H
Cunningham	Goldberg	Mallon	Schoeneck	Winters
Cuvillier	Gray	Mance	Schulz	Wood
De Groot	Green	Marlatt	Sheridan	Young
Dobbs	Gunderman			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2481) entitled "An act to authorize the city of Olean to acquire the reversionary interest and estate in the lands constituting the public square in said city." (Int. No. 1759.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Shuttleworth
Apgar	Dowling	Haines	McCue	Sinclair
Baldwin	Draper	Hamilton	Merritt	Smith A E
Baumann	Dudley	Hammond	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Moreland	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Farrell	Hastings	Murphy G W	Stratton
Brough	Ferguson	Hoey	Ne vins	Surpluss
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Waddell
Burhyte	Flanagan	Hubbs	Norton	Wagner
Burns	Foley C F	Hurd	O'Brian	Wainwright
Burzynski	Foley J A	Huth	Oliver	Walters
Cavanaugh	Fowler	Jackson	Parker	Waters
Chamberlain	Francis	Jacobs	Patton	Weber
Cole	Ganly	Keller	Phillips	Weimert
Collins	Garbe	Lansing	Prentice	Wells
Colné	Geoghagan	Lee	Ralston	West
Conklin	Glore	Lewis	Reece	Whitley
Conrady	Gluck	Lowe	Rogers	Whitney F G
Croak	Glynn	Lupton	Schmidt	Whitney G H
Cunningham	Goldberg	Maher	Schoeneck	Winters
Cuvillier	Gray	Mallon	Schulz	Wood
De Groot	Green	Mance	Sheridan	Young
Dobbs	Gunderman	Marlatt		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2294) entitled "An act to amend the State Charities Law, in relation to the number of members of the State Board of Charities." (Int. No. 1669.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Sinclair
Apgar	Dowling	Haines	McCue	Smith A E
Baldwin	Draper	Hamilton	Merritt	Smith C
Baumann	Dudley	Hammond	Miller	Smith Myron
Blue	Duell	Harawitz	Mills	Staley
Bohan	Eagleton	Harper	Mooney	Stern
Boshart	Eggleston	Harris	Moreland	Stevenson
Brady	Eichhorn	Hart	Murphy C F	Stratton
Brooks	Farrell	Hastings	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Waddell
Burhyte	Flanagan	Hubbs	Norton	Wagner
Burns	Foley C F	Hurd	O'Brian	Wainwright
Burzynski	Foley J A	Huth	Oliver	Walters
Cavanaugh	Fowler	Jackson	Parker	Waters
Chamberlain	Francis	Jacobs	Patton	Weber
Cole	Ganly	Keller	Phillips	Weimert
Collins	Garbe	Lansing	Prentice	Wells
Colné	Geoghagan	Lee	Ralston	West
Conklin	Glore	Lewis	Reece	Whitley
Conrady	Gluck	Lowe	Rogers	Whitney F G
Croak	Glynn	Lupton	Schmidt	Whitney G H
Cunningham	Goldberg	Maher	Schoeneck	Winters
Cuvillier	Gray	Mallon	Schulz	Wood
De Groot	Green	Mance	Sheridan	Young
Dobbs	Gunderman	Marlatt	Shuttleworth	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2493) entitled "An act to amend the Liquor Tax Law, in relation to violations and penalties, jurisdiction of courts and reports of magistrates, and duties and fees of sheriffs." (Int. No. 1553.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Sinclair
Apgar	Dowling	Haines	McCue	Smith A E
Baldwin	Draper	Hamilton	Merritt	Smith C
Baumann	Dudley	Hammond	Miller	Smith Myron
Blue	Duell	Harawitz	Mills	Staley
Bohan	Eagleton	Harper	Mooney	Stern
Boshart	Eggleston	Harris	Moreland	Stevenson
Brady	Eichhorn	Hart	Murphy C F	Stratton
Brooks	Farrell	Hastings	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Waddell
Burhyte	Flanagan	Hubbs	Norton	Wagner
Burns	Foley C F	Hurd	O'Brian	Wainwright
Burzynski	Foley J A	Huth	Oliver	Walters
Cavanaugh	Fowler	Jackson	Parker	Waters
Chamberlain	Francis	Jacobs	Patton	Weber
Cole	Ganly	Keller	Phillips	Weimert
Collins	Garbe	Lansing	Prentice	Wells
Colné	Geoghagan	Lee	Ralston	West
Conklin	Glore	Lewis	Reece	Whitley
Conrady	Gluck	Lowe	Rogers	Whitney F G
Croak	Glynn	Lupton	Schmidt	Whitney G H
Cunningham	Goldberg	Maher	Schoeneck	Winters
Cuvillier	Gray	Mallon	Schulz	Wood
De Groot	Green	Mance	Sheridan	Young
Dobbs	Gunderman	Marlatt	Shuttleworth	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2331) entitled "An act to extend the time within which the Danbury and Harlem Traction Company shall finish its road and put it in operation beyond its present construction and operation." (Int. No. 1688.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 1

Those who voted in the affirmative were:

Allen	Dobbs	Gunderman	Mance	Shuttleworth
Apgar	Dominy	Hackett	Marlatt	Sinclair
Baldwin	Dowling	Haines	Matthews	Smith A E
Baumann	Draper	Hamilton	McCue	Smith C
Blue	Dudley	Hammond	Merritt	Smith Myron
Bohan	Duell	Harawitz	Miller	Staley
Boshart	Eagleton	Harper	Mills	Stern
Brady	Eggleston	Harris	Mooney	Stevenson
Brooks	Eichhorn	Hart	Moreland	Stratton
Brough	Farrell	Hastings	Murphy C F	Surpluss
Brown	Ferguson	Hoe	Murphy G W	Volk
Buckley	Feth	Holmes	Nevins	Waddell
Burhyte	Filley	Hooper	Newton	Wagner
Burns	Flanagan	Hubbs	Norton	Wainwright
Burzynski	Foley C F	Hurd	O'Brian	Walters
Cavanaugh	Foley J A	Huth	Oliver	Waters
Chamberlain	Fowler	Jackson	Parker	Weber
Cole	Ganly	Jacobs	Patton	Weimert
Collins	Garbe	Keller	Prentice	Wells
Colné	Geoghagan	Lansing	Ralston	West
Conklin	Glore	Lee	Reece	Whitley
Conrad	Gluck	Lewis	Rogers	Whitney F G
Croak	Glynn	Lowe	Schmidt	Whitney G H
Cunningham	Goldberg	Lupton	Schoeneck	Winters
Cuvillier	Gray	Maher	Schulz	Wood
De Groot	Green	Mallon	Sheridan	Young

In the negative:

Northrup

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1737) entitled "An act to reappropriate money for the erection of a State armory and stable in the city of Syracuse, as provided for by chapter seven hundred and forty-three of the Laws of nineteen hundred and five." (Int. No. 1366.)

On motion of Mr. Hammond, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Sinclair
Apgar	Dowling	Haines	McCue	Smith A E
Baldwin	Draper	Hamilton	Merritt	Smith C
Baumann	Dudley	Hammond	Miller	Smith Myron
Blue	Duell	Harawitz	Mills	Staley
Bohan	Eagleton	Harper	Mooney	Stern
Boshart	Eggleston	Harris	Moreland	Stevenson
Brady	Eichhorn	Hart	Murphy C F	Stratton
Brooks	Farrell	Hastings	Murphy G W	Surpless
Brough	Ferguson	Hoe	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Waddell
Burhyte	Flanagan	Hubbs	Norton	Wagner
Burns	Foley C F	Hurd	O'Brian	Wainwright
Burzynski	Foley J A	Huth	Oliver	Walters
Cavanaugh	Fowler	Jackson	Parker	Waters
Chamberlain	Francis	Jacobs	Patton	Weber
Cole	Ganly	Keller	Phillips	Weimert
Collins	Garbe	Lansing	Prentice	Wells
Colné	Geoghagan	Lee	Ralston	West
Conklin	Glore	Lewis	Reece	Whitley
Conrady	Gluck	Lowe	Rogers	Whitney F G
Croak	Glynn	Lupton	Schmidt	Whitney G H
Cunningham	Goldberg	Maher	Schoeneck	Winters
Cuvillier	Gray	Mallon	Schulz	Wood
De Groot	Green	Mance	Sheridan	Young
Dobbs	Gunderman	Marlatt	Shuttleworth	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2425) entitled "An act to amend the Greater New York charter, in relation to the police department of the city of New York." (Int. No. 1731.)

On motion of Mr. Prentice, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Shuttleworth
Apgar	Dowling	Haines	McCue	Sinclair
Baldwin	Draper	Hamilton	Merritt	Smith A E
Baumann	Dudley	Hammond	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Moreland	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Farrell	Hastings	Murphy G W	Stratton
Brough	Ferguson	Hoe	Nevins	Surpless
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Waddell
Burhyte	Flanagan	Hubbs	Norton	Wagner
Burns	Foley C F	Hurd	O'Brian	Wainwright
Burzynski	Foley J A	Huth	Oliver	Walters
Cavanaugh	Fowler	Jackson	Parker	Waters
Chamberlain	Francis	Jacobs	Patton	Weber
Cole	Ganly	Keller	Phillips	Weimert
Collins	Garbe	Lansing	Prentice	Wells
Colné	Geoghagan	Lee	Ralston	West
Conklin	Glore	Lewis	Reece	Whitley
Conrady	Gluck	Lowe	Rogers	Whitney F G
Croak	Glynn	Lupton	Schmidt	Whitney G H
Cunningham	Goldberg	Maher	Schoeneck	Winters
Cuvillier	Gray	Mallon	Schulz	Wood
De Groot	Green	Mance	Sheridan	Young
Dobbs	Gunderman	Marlatt		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2512) entitled "An act to amend the Insurance Law, relative to the incorporation of fire insurance corporations." (Int. No. 1774.)

On motion of Mr. Rogers, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Shuttleworth
Apgar	Dowling	Haines	McCue	Sinclair
Baldwin	Draper	Hamilton	Merritt	Smith A E
Baumann	Dudley	Hammond	Miller	Smith C
Blue	Duell	Harawitz	Mills	Smith Myron
Bohan	Eagleton	Harper	Mooney	Staley
Boshart	Eggleston	Harris	Moreland	Stern
Brady	Eichhorn	Hart	Murphy C F	Stevenson
Brooks	Farrell	Hastings	Murphy G W	Stratton
Brough	Ferguson	Hoey	Nevins	Surpluss
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Waddell
Burhyte	Flanagan	Hubbs	Norton	Wagner
Burns	Foley C F	Hurd	O'Brian	Wainwright
Burzynski	Foley J A	Huth	Oliver	Walters
Cavanaugh	Fowler	Jackson	Parker	Waters
Chamberlain	Francis	Jacobs	Patton	Weber
Cole	Ganly	Keller	Phillips	Weimert
Collins	Garbe	Lansing	Prentice	Wells
Colné	Geoghagan	Lee	Ralston	West
Conklin	Glore	Lewis	Reece	Whitley
Conrady	Gluck	Lowe	Rogers	Whitney F G
Croak	Glynn	Lupton	Schmidt	Whitney G H
Cunningham	Goldberg	Maher	Schoeneck	Winters
Cuvillier	Gray	Mallon	Schulz	Wood
De Groot	Green	Mance	Sheridan	Young
Dobbs	Gunderman	Marlatt		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2076) entitled "An act authorizing the fire commissioner of the city of New York to rehear the charges upon which John J. Lyons, formerly a fireman in the fire department of said city, was dismissed from said department and to reinstate him in his former position." (Int. No. 1563.)

On motion of Mr. A. E. Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Sinclair
Apgar	Dowling	Haines	McCue	Smith A E
Baldwin	Draper	Hamilton	Merritt	Smith C
Baumann	Dudley	Hammond	Miller	Smith Myron
Blue	Duell	Harawitz	Mills	Staley
Bohan	Eagleton	Harper	Mooney	Stern
Boshart	Eggleston	Harris	Moreland	Stevenson
Brady	Eichhorn	Hart	Murphy C F	Stratton
Brooks	Farrell	Hastings	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Waddell
Burhyte	Flanagan	Hubbs	Norton	Wagner
Burns	Foley C F	Hurd	O'Brian	Wainwright
Burzynski	Foley J A	Huth	Oliver	Walters
Cavanaugh	Fowler	Jackson	Parker	Waters
Chamberlain	Francis	Jacobs	Patton	Weber
Cole	Ganly	Keller	Phillips	Weimert
Collins	Garbe	Lansing	Prentice	Wells
Colné	Geoghagan	Lee	Ralston	West
Conklin	Glore	Lewis	Reece	Whitley
Conrady	Gluck	Lowe	Rogers	Whitney F G
Croak	Glynn	Lupton	Schmidt	Whitney G H
Cunningham	Goldberg	Maher	Schoeneck	Winters
Cuvillier	Gray	Mallon	Schulz	Wood
De Groot	Green	Mance	Sheridan	Young
Dobbs	Gunderman	Marlatt	Shuttleworth	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2513) entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of Oswego,' relative to the powers of policemen of said city." (Int. No. 1775.)

On motion of Mr. F. G. Whitney, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Sinclair
Apgar	Dowling	Haines	McCue	Smith A E
Baldwin	Draper	Hamilton	Merritt	Smith C
Baumann	Dudley	Hammond	Miller	Smith Myron
Blue	Duell	Harawitz	Mills	Staley
Bohan	Eagleton	Harper	Mooney	Stern
Boshart	Eggleston	Harris	Moreland	Stevenson
Brady	Eichhorn	Hart	Murphy C F	Stratton
Brooks	Farrell	Hastings	Murphy G W	Surpluss
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Waddell
Burhyte	Flanagan	Hubbs	Norton	Wagner
Burns	Foley C F	Hurd	O'Brian	Wainwright
Burzynski	Foley J A	Huth	Oliver	Walters
Cavanaugh	Fowler	Jackson	Parker	Waters
Chamberlain	Francis	Jacobs	Patton	Weber
Cole	Ganly	Keller	Phillips	Weimert
Collins	Garbe	Lansing	Prentice	Wells
Colné	Geoghagan	Lee	Ralston	West
Conklin	Glore	Lewis	Reece	Whitley
Conrady	Gluck	Lowe	Rogers	Whitney F G
Croak	Glynn	Lupton	Schmidt	Whitney G H
Cunningham	Goldberg	Maher	Schoeneck	Winters
Cuvillier	Gray	Mallon	Schulz	Wood
De Groot	Green	Mance	Sheridan	Young
Dobbs	Gunderman	Marlatt	Shuttleworth	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1966) entitled "An act making an appropriation for the State's proportion of the amounts appropriated for the repair of highways, pursuant to section fifty-three of the Highway Law." (Rec. No. 199.)

On motion of Mr. Stratton, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Sinclair
Apgar	Dowling	Haines	McCue	Smith A E
Baldwin	Draper	Hamilton	Merritt	Smith C
Baumann	Dudley	Hammond	Miller	Smith Myron
Blue	Duell	Harawitz	Mills	Staley
Bohan	Eagleton	Harper	Mooney	Stern
Boshart	Eggleston	Harris	Moreland	Stevenson
Brady	Eichhorn	Hart	Murphy C F	Stratton
Brooks	Farrell	Hastings	Murphy G W	Surpluss
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Waddell
Burhyte	Flanagan	Hubbs	Norton	Wagner
Burns	Foley C F	Hurd	O'Brien	Wainwright
Burzynski	Foley J A	Huth	Oliver	Walters
Cavanaugh	Fowler	Jackson	Parker	Waters
Chamberlain	Francis	Jacobs	Patton	Weber
Cole	Ganly	Keller	Phillips	Weimert
Collins	Garbe	Lansing	Prentice	Wells
Colné	Geoghagan	Lee	Ralston	West
Conklin	Glore	Lewis	Reece	Whitley
Conrad	Gluck	Lowe	Rogers	Whitney F G
Croak	Glynn	Lupton	Schmidt	Whitney G H
Cunningham	Goldberg	Maher	Schoeneck	Winters
Cuvillier	Gray	Mallon	Schulz	Wood
De Groot	Green	Mance	Sheridan	Young
Dobbs	Gunderman	Marlatt	Shuttleworth	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1331) entitled "An act to amend the Tax Law, in relation to the recording tax on mortgages." (Rec. No. 323.)

Said bill having been announced for a second reading,

On motion of Mr. Schoeneck, and by unanimous consent, said bill was made a special order on second and third reading for Wednesday next, immediately after the reading of the journal.

Mr. Wood moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Allen	De Groot	Goldberg	Lupton	Rogers
Apgar	Dobbs	Gray	Maher	Schmidt
Averill	Dominy	Green	Mance	Sheridan
Baldwin	Donnelly	Gunderman	Matthews	Shuttleworth

Baumann	Draper	Hackett	McCue	Sinclair
Blue	Dudley	Haines	Merritt	Smith A E
Bohan	Duell	Hamilton	Miller	Smith C
Boshart	Eagleton	Hammond	Mooney	Stanton
Brady	Eggleston	Harper	Moreland	Stern
Brooks	Eichhorn	Harris	Morgan	Surpless
Brough	Farrell	Hart	Murphy C F	Volk
Brown	Fay	Hastings	Murphy G W	Waddell
Buckley	Ferguson	Holmes	Nevins	Wagner
Burhyte	Filley	Hooper	Newton	Wainwright
Burns	Foley C F	Hubbs	Northrup	Waters
Burzynski	Foley J A	Hurd	Norton	Weber
Chamberlain	Fowler	Huth	O'Brian	Weimert
Cole	Francis	Jackson	Oliver	Wells
Collins	Ganly	Jacobs	Parker	West
Colné	Garbe	Keller	Patton	Whitney F G
Conklin	Geoghagan	Lansing	Phillips	Whitney G H
Conrady	Glore	Lee	Ralston	Wood
Croak	Gluck	Lewis	Reece	Yale
Cuvillier	Glynn	Lowe	Robinson	

Mr. Wood moved that the call of the House be made a close call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate bill (No. 1053) entitled "An act supplementary to chapter one hundred and seven of the Laws of eighteen hundred and twenty-one, entitled 'An act declaring a part of the Black river a public highway, and for other purposes,' passed March sixteen, eighteen hundred and twenty-one" (Rec. No. 202), having been announced for third reading,

Mr. Boshart moved that said bill be recommitted to the committee on internal affairs, with instructions to report the same forthwith amended as follows:

On page 1, line 4, after the word "at" strike out all of line 4, line 5 and line 1 on page 2, to and including the word "works" and insert the following "such times and under such rules and regulations as the superintendent of public works shall prescribe".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

AYES 29

NOES 88

Those who voted in the affirmative were:

Allen	Glynn	Jacobs	Murphy G W	Surpless
Boshart	Green	Lee	Norton	Volk
Colné	Gunderman	Lupton	O'Brian	Walters
Dobbs	Hamilton	Matthews	Patton	Waters
Francis	Hart	Mills	Rogers	Weimert
Glore	Holmes	Morgan	Shuttleworth	

Those who voted in the negative were:

Apgar	Cuvillier	Garbe	Lewis	Schmidt
Averill	De Groot	Geoghagan	Lowe	Schwegler
Baldwin	Dominy	Gluck	Maher	Sheridan
Baumann	Donnelly	Goldberg	Mance	Sinclair
Blue	Dowling	Gray	McCue	Smith A E
Bohan	Draper	Hackett	Merritt	Smith C
Brady	Dudley	Haines	Mooney	Stanton
Brooks	Duell	Hammond	Murphy C F	Stevenson
Brough	Eagleton	Harper	Nevins	Stratton
Brown	Eichhorn	Hastings	Newton	Waddell
Burhyte	Farrell	Hoey	Oliver	Wagner
Burns	Ferguson	Hooper	Parker	Weber
Burzynski	Filley	Hubbs	Phillips	Wells
Cavanaugh	Foley C F	Hurd	Prentice	West
Chamberlain	Foley J A	Huth	Ralston	Whitley
Cole	Fowler	Jackson	Reece	Whitney G H
Conrady	Frisbie	Keller	Robinson	Wood
Croak	Ganly	Lansing		

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 1

Those who voted in the affirmative were:

Allen	Dowling	Haines	Matthews	Shuttleworth
Apgar	Draper	Hamilton	McCue	Sinclair
Baldwin	Dudley	Hammond	Merritt	Smith A E
Baumann	Duell	Harawitz	Miller	Smith C
Blue	Eagleton	Harper	Mills	Smith Myron
Bohan	Eggleston	Harris	Mooney	Staley
Brady	Eichhorn	Hart	Moreland	Stern
Brooks	Farrell	Hastings	Murphy C F	Stevenson
Brough	Ferguson	Hoey	Murphy G W	Stratton
Brown	Feth	Holmes	Nevins	Surpluss
Buckley	Filley	Hooper	Newton	Todd
Burhyte	Flanagan	Hubbs	Northrup	Volk
Burns	Foley C F	Hurd	Norton	Waddell
Burzynski	Foley J A	Huth	O'Brian	Wagner
Cavanaugh	Fowler	Jackson	Oliver	Wainwright
Chamberlain	Francis	Jacobs	Parker	Walters
Cole	Ganly	Keller	Patton	Waters
Collins	Garbe	Lansing	Phillips	Weber
Colné	Geoghagan	Lee	Prentice	Weimert
Conklin	Glore	Lewis	Ralston	Wells
Conrady	Gluck	Lowe	Reece	West
Croak	Glynn	Lupton	Rogers	Whitley
Cunningham	Goldberg	Maher	Schmidt	Whitney F G

Cuvillier	Gray	Mallon	Schoeneck	Whitney G H
De Groot	Green	Mance	Schulz	Winters
Dobbs	Gunderman	Marlatt	Sheridan	Wood
Dominy	Hackett			

In the negative:

Boshart

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 531, Assembly reprint No. 2376) entitled "An act to amend the Greater New York charter, in relation to the amount of annual pension to retiring members of the fire department" (Rec. No. 86), having been announced for a third reading,

On motion of Mr. McCue, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 2497) entitled "An act to amend chapter eight hundred and thirty-four of the Laws of eighteen hundred and sixty-nine, entitled 'An act to amend the act incorporating the village of Carthage, in the county of Jefferson,' generally" (Int. No. 1319), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Surpless
Brown	Feth	Holmes	Nevins	Todd
Buckley	Filley	Hooper	Newton	Volk

Burhyte	Flanagan	Hubbs	Northrup	Waddell
Burns	Foley C F	Hurd	Norton	Wagner
Burzynski	Foley J A	Huth	O'Brian	Wainwright
Cavanaugh	Fowler	Jackson	Oliver	Walters
Chamberlain	Francis	Jacobs	Parker	Waters
Cole	Ganly	Keller	Patton	Weber
Collins	Garbe	Lansing	Phillips	Weimert
Colné	Geoghagan	Lee	Prentice	Wells
Conklin	Glore	Lewis	Ralston	West
Conrady	Gluck	Lowe	Reece	Whitley.
Croak	Glynn	Lupton	Rogers	Whitney F G
Cunningham	Goldberg	Maher	Schmidt	Whitney G H
Cuvillier	Gray	Mallon	Schoeneck	Winters
De Groot	Green	Mance	Schulz	Wood
Dobbs	Gunderman			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same, and request the concurrence of the Senate therein.

The Senate bill (No. 592) entitled "An act to amend section three hundred and eighty-four-h of the Penal Code, relative to hours of labor to be required of employees of a corporation operating a line of railroad thirty miles in length, or over" (Rec. No. 239), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Surpless
Brown	Feth	Holmes	Nevins	Todd
Buckley	Filley	Hooper	Newton	Volk
Burhyte	Flanagan	Hubbs	Northrup	Waddell
Burns	Foley C F	Hurd	Norton	Wagner
Burzynski	Foley J A	Huth	O'Brian	Wainwright
Cavanaugh	Fowler	Jackson	Oliver	Walters

Chamberlain	Francis	Jacobs	Parker	Waters
Cole	Ganly	Keller	Patton	Weber
Collins	Garbe	Lansing	Phillips	Weimert
Colné	Geoghagan	Lee	Prentice	Wells
Conklin	Glore	Lewis	Ralston	West
Conrady	Gluck	Lowe	Reece	Whitley
Croak	Glynn	Lupton	Rogers	Whitney F G
Cunningham	Goldberg	Maher	Schmidt	Whitney G H
Cuvillier	Gray	Mallon	Schoeneck	Winters
De Groot	Green	Mance	Schulz	Wood
Dobbs	Gunderman			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Ralston moved to take from the table his motion to reconsider the vote by which Assembly bill (No. 2290, Int. No. 1664) was lost.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 80

NOES 46

Those who voted in the affirmative were:

Allen	Croak	Gluck	Lewis	Schmidt
Apgar	Cuvillier	Glynn	Loos	Schoeneck
Averill	Donnelly	Goldberg	Maher	Schwegler
Baldwin	Dowling	Green	Mance	Sheridan
Baumann,	Eagleton	Hackett	McCue	Sinclair
Blue	Eichhorn	Hammond	Merritt	Smith A E
Bohan	Farrell	Harawitz	Mooney	Surpless
Boshart	Fay	Harris	Morgan	Todd
Brooks	Ferguson	Hart	Murphy C F	Volk
Buckley	Filley	Hastings	Murphy G W	Voss
Burns	Foley C F	Hoey	Nevins	Wagner
Burhyte	Fowler	Hurd	Norton	Walters
Cavanaugh	Francis	Huth	Oliver	Waters
Collins	Ganly	Jackson	Prince	Weber
Colné	Garbe	Jacobs	Ralston	Whitley
Conrady	Geoghagan	Keller	Reece	Whitney F G

Those who voted in the negative were:

Brady	Draper	Hooper	Newton	Stanton
Brough	Dudley	Hubbs	Parker	Stevenson
Brown	Duell	Lansing	Patton	Stratton
Burhyte	Eggleston	Lee	Phillips	Waddell
Chamberlain	Gray	Lowe	Prentice	Wainwright

Cole	Gunderman	Lupton	Robinson	Weimert
Conklin	Hamilton	Matthews	Rogers	Wells
De Groot	Harper	Miller	Shuttleworth	West
Dobbs	Holmes	Mills	Smith C	Whitney G H
Dominy				

Said bill having been announced, Mr. Matthews moved to strike out the enacting clause of said bill.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

AYES 42

NOES 78

Those who voted in the affirmative were:

Brady	Dudley	Hooper	Parker	Stanton
Brough	Duell	Hubbs	Patton	Stevenson
Burhyte	Eggleston	Lansing	Phillips	Stratton
Chamberlain	Gray	Lupton	Prentice	Waddell
Conklin	Gunderman	Matthews	Robinson	Wainwright
De Groot	Hamilton	Miller	Rogers	Weimert
Dobbs	Harper	Mills	Shuttleworth	Wells
Dominy	Hart	Newton	Smith C	West
Draper				

Those who voted in the negative were:

Apgar	Cunningham	Glore	Loos	Schoeneck
Baldwin	Cuvillier	Gluck	Maher	Schwegler
Baumann	Donnelly	Glynn	Mance	Sheridan
Blue	Dowling	Goldberg	McCue	Sinclair
Bohan	Eagleton	Green	Marlatt	Smith A E
Boshart	Eichhorn	Hackett	Mooney	Surpluss
Brooks	Farrell	Hammond	Morgan	Todd
Buckley	Fay	Harawitz	Murphy C F	Volk
Burns	Ferguson	Harris	Murphy G W	Voss
Burzynski	Filley	Hastings	Nevins	Wagner
Cavanaugh	Foley C F	Hoev	Oliver	Walters
Cole	Foley J A	Huth	Prince	Waters
Collins	Fowler	Jackson	Ralston	Weber
Colné	Ganly	Jacobs	Reece	Whitley
Conrad	Garbe	Keller	Schmidt	Whitney F G
Croak	Geoghagan	Lewis		

Debate was had thereon, when Mr. Oliver moved the previous question.

Mr. Speaker put the question: "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 76

NOES 57

Those who voted in the affirmative were:

Allen	Croak	Geoghagan	Lewis	Reece
Apgar	Cunningham	Gluck	Loos	Schmidt
Averill	Cuvillier	Glynn	Maher	Schoeneck
Baldwin	Donnelly	Goldberg	Mance	Schwegler
Baumann	Dowling	Green	McCue	Sheridan
Blue	Eagleton	Haines	Merritt	Sinclair
Bohan	Eichhorn	Hammond	Mooney	Smith A E
Boshart	Farrell	Harawitz	Morgan	Stern
Brooks	Fay	Harris	Murphy C F	Todd
Buckley	Filley	Hastings	Murphy G W	Voss
Burns	Foley C F	Hoey	Nevins	Wagner
Burzynski	Foley J A	Huth	Northrup	Waters
Cavanaugh	Fowler	Jackson	Oliver	Weber
Cole	Ganly	Jacobs	Prince	Whitley
Collins	Garbe	Keller	Ralston	Yale
Conrad				

Those who voted in the negative were:

Brady	Eggleston	Hurd	O'Brian	Stratton
Brough	Ferguson	Lansing	Parker	Surpless
Brown	Francis	Lee	Patton	Volk
Burhyte	Glore	Lowe	Phillips	Waddell
Chamberlain	Gray	Lupton	Prentice	Wainwright
Colné	Gunderman	Matthews	Robinson	Walters
Conklin	Hamilton	Miller	Rogers	Weimert
De Groot	Harper	Mills	Shuttleworth	Wells
Dobbs	Hart	Moreland	Smith C	West
Dominy	Holmes	Newton	Stanton	Whitney G H
Dudley	Hooper	Norton	Stevenson	Wood
Duell	Hubbs			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

By unanimous consent, Mr. Fowler called up Assembly bill (No. 2548, Int. No. 1078), entitled "An act to amend chapter two hundred and sixty-two of the Laws of eighteen hundred and fifty-five, entitled 'An act revising and amending an act, entitled "An act to incorporate the village of Saugerties," in relation to the salary of clerk," now on the order of third reading.

Mr. Fowler moved that said bill be recommitted to the committee on affairs of villages, with instructions to report the same forthwith amended as follows:

Page 2, line 15, after "directors" insert in brackets "the former at not to exceed the rate of one hundred dollars per year, and the latter at not to exceed the rate of five hundred dollars per year".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hubbs, from the committee on affairs of villages, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1202) entitled "An act to amend the Code of Civil Procedure with respect to the City Court of the city of New York, relating to an increase of the number of justices and salaries of justices, the duties of the justices abrogating the limitation of the clerk of the amount for which judgment may be entered, and repealing the section relating thereto, relating to the appointment and removal of clerks, attendants, et cetera, and their duties creating an appellate term of the court for the hearing of appeals from the municipal courts of the city of New York and from the City Court, and providing how such appeals may be heard, and judgments thereon enforced, and allowing appeals to the Appellate Division in certain cases from judgments of the City Court, and also in reference to other matters pertaining to the administration of the court" (Int. No. 287), was read the second time.

On motion of Mr. Wagner, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2402) entitled "An act to amend the Labor Law and repeal chapter nine of the Laws of nineteen hundred and one, relative to the organization of the Department of Labor" (Int. No. 1601), was read the second time.

On motion of Mr. Hooper, said bill was placed on the order of third reading.

On motion of Mr. Hooper, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Shuttleworth
Apgar	Dowling	Haines	McCue	Sinclair
Baldwin	Draper	Hamilton	Merritt	Smith A E
Baumann	Dudley	Hammond	Miller	Smith C
Blue	Duell	Harawitz	Mills	Staley
Bohan	Eagleton	Harper	Mooney	Stern
Boshart	Eggleston	Harris	Moreland	Stevenson
Brady	Eichhorn	Hart	Murphy C F	Stratton
Brooks	Farrell	Hastings	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Waddell
Burhyte	Flanagan	Hubbs	Norton	Wagner
Burns	Foley C F	Hurd	O'Brian	Wainwright
Burzynski	Foley J A	Huth	Oliver	Walters
Cavanaugh	Fowler	Jackson	Parker	Waters
Chamberlain	Francis	Jacobs	Patton	Weber
Cole	Ganly	Keller	Phillips	Weimert
Collins	Garbe	Lansing	Prentice	Wells
Colné	Geoghagan	Lee	Ralston	West
Conklin	Glore	Lewis	Reece	Whitley
Conrady	Gluck	Lowe	Rogers	Whitney F G
Croak	Glynn	Lupton	Schmidt	Whitney G H
Cunningham	Goldberg	Maher	Schoeneck	Winters
Cuvillier	Gray	Mallon	Schulz	Wood
De Groot	Green	Mance	Sheridan	Young
Dobbs	Gunderman	Marlatt		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2387) entitled "An act to amend the Labor Law, relative to the employment of women and minors" (Int. No. 1367), was read the second time.

On motion of Mr. Hooper, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1490) entitled "An act to amend the Civil Service Law in respect to the registration of laborers" (Int. No. 1238), was read the second time.

On motion of Mr. Wells, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2521) entitled "An act to amend the Greater New York charter, in relation to telegraph linemen in the fire department" (Int. No. 735), was read the second time.

On motion of Mr. DeGroot, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2523) entitled "An act to amend chapter ninety, of the Laws of eighteen hundred and forty-six, entitled 'An act to incorporate the Hudson Orphan and Relief Association,' generally" (Int. No. 1745), was read the second time.

On motion of Mr. Sinclair, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2525) entitled "An act to amend the Public Health Law, in relation to the housing of men" (Int. No. 1705), was read the second time.

On motion of Mr. Wagner, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2528) entitled "An act to amend the Tax Law, in relation to the recording tax on mortgages" (Int. No. 1448), having been announced for a second reading,

On motion of Mr. Green, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 2527) entitled "An act to amend the Code of Civil Procedure, in relation to the conveyance of real estate by executors and administrators, in certain cases" (Int. No. 538), was read the second time.

On motion of Mr. Merritt, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 1224, Assembly reprint No. 2542) entitled "An act to provide for preserving the waters of the Bronx river from pollution; creating a reservation of the lands on either side of the river; authorizing the taking of lands for that purpose and providing for the payment thereof, and appointing a commission to carry out the purposes of the act" (Rec. No. 263), having been announced for a second reading,

On motion of Mr. Duell, said bill was recommitted to the committee on rules, retaining its place on the order of second reading.

The Senate bill (No. 501, Assembly reprint No. 2526) entitled "An act to amend an act entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals, being chapter five hundred and eighty of the Laws of nineteen hundred and two,' to authorize the formation of an appellate term in the second judicial department, to appoint clerks and attendants, and

to provide for the expenses thereof " (Rec. No. 75), was read the second time.

On motion of Mr. Lee, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2580) entitled "An act to amend the Railroad Law, in relation to the protection of street railroad employees in cities of the first class " (Int. No. 939), was read the second time.

On motion of Mr. Hoey, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2581) entitled "An act to provide for the appointment of policemen for the Niagara, Lockport and Ontario Power Company " (Int. No. 1193), was read the second time.

On motion of Mr. Weimert, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2582) entitled "An act to amend the Insurance Law, constituting chapter thirty-eight of the general laws, in relation to provisions in contracts or policies of insurance for the appointment of an umpire " (Int. No. 1658), was read the second time.

On motion of Mr. J. A. Foley, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2583) entitled "An act to amend chapter four hundred and fifty-nine of the Laws of eighteen hundred and ninety-three, entitled 'An act to incorporate the Economic Power and Construction Company,' generally " (Int. No. 932), was read the second time.

On motion of Mr. Brooks, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2584) entitled "An act to amend the Insanity Law, relative to salaries of certain employees in hospitals for the criminal insane at Dannemora and Matteawan " (Int. No. 1216), was read the second time.

On motion of Mr. Dominy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2585) entitled "An act to amend 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same, and to provide for local option, constituting chap-

ter twenty-nine of the general laws ' ' (Int. No. 1294), was read the second time.

On motion of Mr. C. F. Murphy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2589), entitled "An act to amend the Penal Code, in relation to the privileges of witnesses in investigations and proceedings relating to rebates and allowances by life insurance corporations" (Int. No. 1641), was read the second time.

On motion of Mr. Rogers, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2590) entitled "An act to amend the Code of Civil Procedure, in relation to the Court of Claims" (Int. No. 1696), was read the second time.

On motion of Mr. Fowler, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2599) entitled "An act to amend the Greater New York charter and the Municipal Court Act of the city of New York, by providing for a reorganization of the Municipal Court of the city of New York and for changes in the constitution and in the powers of said court and in the practice therein; and assistant clerks and to regulate the salaries of the justices thereof" (Int. No. 1054), was read the second time.

On motion of Mr. Wells, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 1094, Assembly reprint No. 2588) entitled "An act to amend section two hundred and twenty-one of the Code of Civil Procedure, relative to the salaries of certain clerks and deputy clerks of the Appellate Divisions of the third and fourth departments" (Rec. No. 204), was read the second time.

On motion of Mr. Whitley, said bill was placed on the order of third reading and referred to the committee on revision.

A message was received from the Senate, in words following:

IN SENATE, *April 29, 1907.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 704, Rec. No. 137) entitled "An act to amend chapter three hundred and six of the Laws of nineteen hundred and four, entitled 'An act to organize and establish a police department for the village of White Plains,

in the county of Westchester and State of New York,' in relation to the number and compensation of members of the police force and the maximum sums to be raised for the expenses of the board of police and police force."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Carpenter, and by unanimous consent, the same was amended by substituting Senate bill No. 1415.

Said bill, as amended, was reprinted, re-engrossed, and having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate.

LAFAYETTE B. GLEASON,

*Clerk.*

Said bill having been announced, Mr. Wainwright moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Surpless
Brown	Feth	Holmes	Nevins	Todd
Buckley	Filley	Hooper	Newton	Volk
Burhyte	Flanagan	Hubbs	Northrup	Waddell
Burns	Foley C F	Hurd	Norton	Wagner
Burzynski	Foley J A	Huth	O'Brian	Wainwright
Cavanaugh	Fowler	Jackson	Oliver	Walters
Chamberlain	Francis	Jacobs	Parker	Waters
Cole	Ganly	Keller	Patton	Weber
Collins	Garbe	Lansing	Phillips	Weimert
Colné	Geoghagan	Lee	Prentice	Wells
Conklin	Glore	Lewis	Ralston	West
Conrady	Gluck	Lowe	Reece	Whitley
Croak	Glynn	Lupton	Rogers	Whitney F G
Cunningham	Goldberg	Maher	Schmidt	Whitney G H
Cuvillier	Gray	Mallon	Schoeneck	Winters
De Groot	Green	Mance	Schulz	Wood
Dobbs	Gunderman			

Said bill, as amended, was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Appar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Surpless
Brown	Feth	Holmes	Nevins	Todd
Buckley	Filley	Hooper	Newton	Volk
Burhyte	Foley C F	Hubbs	Northrup	Waddell
Burns	Foley J A	Hurd	Norton	Wagner
Burzynski	Fowler	Huth	O'Brian	Wainwright
Cavanaugh	Francis	Jackson	Oliver	Walters
Chamberlain	Ganly	Jacobs	Parker	Waters
Cole	Garbe	Keller	Patton	Weber
Collins	Geoghagan	Lansing	Phillips	Weimert
Colné	Glore	Lee	Prentice	Wells
Conklin	Gluck	Lewis	Ralston	West
Conrady	Glynn	Lowe	Reece	Whitley
Croak	Goldberg	Lupton	Rogers	Whitney F G
Cunningham	Gray	Maher	Schmidt	Whitney G H
Cuvillier	Green	Mallon	Schoeneck	Winters
De Groot	Gunderman	Mance	Schulz	Wood
Dobbs				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same.

A communication was received from Hon. R. W. Sherman, mayor of the city of Utica, returning Assembly bill (No. 1725, Int. No. 1159) entitled "An act to provide a park board in and for the city of Utica," with a message that said mayor and the common council of said city, after a public hearing thereon, do not approve said bill nor accept the same.

Mr. Speaker stated the question to be, "Shall this bill pass notwithstanding the objections of the mayor and the common council, the legislative body of the city of Utica, thereto?" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

AYES 88

NOES 30

Those who voted in the affirmative were:

Allen	Dominy	Harris	Murphy C F	Smith C
Apgar	Dowling	Hart	Nevins	Stanton
Averill	Draper	Hooper	Newton	Stevenson
Baldwin	Dudley	Hubbs	Norton	Surpluss
Blue	Duell	Hurd	O'Brian	Todd
Boshart	Eggleston	Lansing	Parker	Volk
Brady	Eichhorn	Lee	Patton	Voss
Brooks	Ferguson	Lewis	Phillips	Wainwright
Brough	Filley	Lowe	Prentice	Waters
Brown	Fowler	Lupton	Ralston	Weber
Burhyte	Francis	Maher	Reece	Weimert
Chamberlain	Glore	Mance	Robinson	Wells
Cole	Gray	Matthews	Rogers	West
Colné	Green	Merritt	Schoeneck	Whitley
Conklin	Gunderman	Miller	Sheridan	Whitney G H
Conrady	Haines	Mills	Shuttleworth	Wood
Cunningham	Hamilton	Moreland	Sinclair	Yale
De Groot	Hammond	Morgan		

Those who voted in the negative were:

Buckley	Foley J A	Goldberg	Jackson	Oliver
Collins	Ganly	Hackett	Jacobs	Prince
Cuvillier	Garbe	Harawitz	Keller	Schwegler
Dobbs	Geoghagan	Hoey	Loos	Smith A E
Eagleton	Gluck	Holmes	Mooney	Stern
Fay	Glynn	Huth	Northrup	Stratton

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

A communication from the mayor of the city of Hornell was received and read, in the words following:

# STATE OF NEW YORK:

MAYOR'S OFFICE, CITY OF HORNELL,

*April 30, 1907.*

*To the Assembly:*

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment certified copy of Assembly

bill (No. 1999, Int. No. 1290), entitled "An act to amend chapter two hundred and eighty-eight of the laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Hornellsville and to change the name thereof,' generally."

R. M. PRANGER,

*Mayor of the City of Hornell.*

Said bill having been announced, Mr. Marlatt moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Staley
Boshart	Eggleston	Harris	Mooney	Stern
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Surpless
Brown	Feth	Holmes	Nevins	Todd
Buckley	Filley	Hooper	Newton	Volk
Burhyte	Flanagan	Hubbs	Northrup	Waddell
Burns	Foley C F	Hurd	Norton	Wagner
Burzynski	Foley J A	Huth	O'Brian	Wainwright
Cavanaugh	Fowler	Jackson	Oliver	Walters
Chamberlain	Francis	Jacobs	Parker	Waters
Cole	Ganly	Keller	Patton	Weber
Collins	Garbe	Lansing	Phillips	Weimert
Colné	Geoghagan	Lee	Prentice	Wells
Conklin	Glore	Lewis	Ralston	West
Conrady	Gluck	Lowe	Reece	Whitley
Croak	Glynn	Lupton	Rogers	Whitney F G
Cunningham	Goldberg	Maher	Schmidt	Whitney G H
Cuvillier	Gray	Mallon	Schoeneck	Winters
De Groot	Green	Mance	Schulz	Wood
Dobbs	Gunderman			

Said bill having been announced, Mr. Marlatt moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

After the word "thereof" in line 19, on page 5, change comma to a semicolon.

After the word "and" in line 20, on page 5, insert the following words: "when the amounts to be paid by the city at large are to be paid by a tax levied for that purpose and not from funds provided by the general tax budget applicable thereto".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Dowling, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication from the Governor was received and read, in the words following:

### STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, April 26, 1907.

*To the Assembly:*

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1635, Senate reprint No. 1261, Int. No. 1323), entitled "An act in relation to the county court of Kings county and the appointment of a chief clerk and deputies and assistants therein."

CHARLES E. HUGHES.

Said bill having been announced, Mr. C. F. Murphy moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Dobbs	Gunderman	Marlatt	Shuttleworth
Apgar	Dominy	Hackett	Matthews	Sinclair
Baldwin	Dowling	Haines	McCue	Smith A E
Baumann	Draper	Hamilton	Merritt	Smith C
Blue	Dudley	Hammond	Miller	Staley
Bohan	Duell	Harawitz	Mills	Stern
Boshart	Eagleton	Harper	Mooney	Stevenson
Brady	Eggleston	Harris	Moreland	Stratton
Brooks	Eichhorn	Hart	Murphy C F	Surpless
Brough	Farrell	Hastings	Murphy G W	Todd

Brown	Ferguson	Hoey	Nevins	Volk
Buckley	Feth	Holmes	Newton	Waddell
Burhyte	Filley	Hooper	Northrup	Wagner
Burns	Foley C F	Hubbs	Norton	Wainwright
Burzynski	Foley J A	Hurd	O'Brian	Walters
Cavanaugh	Fowler	Huth	Parker	Waters
Chamberlain	Francis	Jackson	Patton	Weber
Cole	Ganly	Jacobs	Phillips	Weimert
Collins	Garbe	Keller	Prentice	Wells
Colné	Geoghagan	Lansing	Ralston	West
Conklin	Glore	Lee	Reece	Whitley
Conrady	Gluck	Lewis	Rogers	Whitney F G
Croak	Glynn	Lowe	Schmidt	Whitney G H
Cunningham	Goldberg	Lupton	Schoeneck	Winters
Cuvillier	Gray	Maher	Schulz	Wood
De Groot	Green	Mance	Sheridan	

Said bill having been announced, Mr. C. F. Murphy moved that said bill be recommitted to the committee on internal affairs, with instructions to report the same forthwith amended as follows:

Strike out on page 2, lines 2, 3 and 4, the following words: "The said chief clerk and the said deputies and assistants shall be deputies of the county clerk of Kings county, and". Also strike out the brackets.

Page 2, lines 20 and 21, strike out words "upon the city of New York and shall be defrayed by the city of New York".

Page 2, line 20, insert word "county" before word "charge". Place period after word "charge", line 20.

Page 2, line 26, strike out the period after the word "repealed" and add the following words: "and chapter six hundred and twelve, laws of nineteen hundred and two is expressly repealed".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Apgar, from the committee on internal affairs, reported said bill amended as directed, and the same was ordered re-printed and placed on the order of third reading.

Mr. Newton offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 1221, Int. No. 1058) entitled "An act to provide for supplying the village of McGrawville with water, to authorize said village to incur indebtedness therefor and to create a board of water commissioners for said village," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Hubbs offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1425, Int. No. 1180), entitled "An act to fix the salary of a district attorney of Suffolk county hereafter elected," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *April 30, 1907.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 693, Rec. No. 126), entitled "An act to amend chapter seven hundred and eighteen of the Laws of nineteen hundred and four, entitled 'An act authorizing the selection of lands as a site for the New York State Training Schools for Boys, and establishing the said school,' as amended by chapter one hundred and thirty-three of the laws of nineteen hundred and five and by chapter six hundred and seventeen of the laws of nineteen hundred and six, in relation to the grant by the commissioners of the land office to the city of New York of the sunken meadow in East river adjacent to Randall's Island, and of the land under water surrounding the same to the bulk-head line for the purpose of transmitting the same to the city of New York."

By order of the Senate,

LAFAYETTE B. GLEASON,  
*Clerk.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the Assembly bill (No. 1530, Senate reprint No. 1336, Int. No. 1022) entitled "An act authorizing the selection of lands as a site for the Eastern New York State Custodial Asylum, and establishing the said asylum."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the Senate bill (No. 1130, Assembly reprint No. 2442, Rec. No. 254) entitled "An act to amend the Greater New York charter, relative to the department of health pension fund," with a message that they have concurred in the amendments of the Assembly made thereto.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 1221, Int. No. 1058) entitled "An act to provide for supplying the village of McGrawville with water, to authorize said village to incur indebtedness therefor and to create a board of water commissioners for said village," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. E. P. Mann, mayor of the city of Troy, returning Assembly bill (No. 66, Int. No. 66) entitled "An act to permit the city of Troy to borrow money on the faith of real estate purchased at tax sales within said city and to provide a sinking fund for the payment thereof," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Albert R. Kessinger, mayor of the city of Rome, returning Assembly bill (No. 2125, Int. No. 799) entitled "An act to amend chapter six hundred and fifty of the Laws of nineteen hundred and four, entitled 'An act to revise the charter of the city of Rome,' generally, and repealing section eighty-six thereof," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. E. D. Westbrook, mayor of the city of Olean, returning Assembly bill (No. 1734, Int. No. 1008) entitled "An act to amend chapter four hundred and seventy-eight of the Laws of eighteen hundred and ninety-three, entitled 'An act to incorporate the city of Olean,' relative to ordinances enacted by the common council, and the enforcement thereof," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. W. H. Follette, mayor of the city of Tonawanda, returning Assembly bill (No. 1793, Int. No. 1184) entitled "An act to amend chapter three hundred and fifty-seven of the Laws of nineteen hundred and five, entitled 'An act to revise the several acts relative to the city of Tonawanda,' generally," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Arthur P. Rose, mayor of the city of Geneva, returning Assembly bill (No. 1520, Int. No. 1113) entitled "An act to amend chapter three hundred sixty of the Laws of eighteen hundred and ninety-seven, entitled 'An act to incorporate the city of Geneva,' in relation to salaries of city officials, duties of city clerk and city judge, and jurisdiction of City Court," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. James L. Weeks, mayor of the city of Jamestown, returning Assembly bill (No. 1867, Int. No. 1301) entitled "An act to revise and amend the charter of the city of Jamestown," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Henry S. Clarke, mayor of the city of New Rochelle, returning Assembly bill (No. 1736, Int. No. 1365) entitled "An act creating a board of public

works in the city of New Rochelle, prescribing its powers and duties, conferring upon such board the duties of the commissioners of sewers, abolishing the office of city engineer and increasing the duties of superintendent of streets," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Anthony C. Douglass, mayor of the city of Niagara Falls, returning Assembly bill (No. 2105, Int. No. 1580) entitled "An act to amend chapter three hundred of the Laws of nineteen hundred and four, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls,' in relation to the establishment of an industrial commission for said city," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Anthony C. Douglass, mayor of the city of Niagara Falls, returning Assembly bill (No. 1992, Int. No. 1532) entitled "An act to amend chapter three hundred of the Laws of nineteen hundred and four, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls,' so as to provide for a grade crossing commission and defining the powers and duties thereof," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. R. W. Sherman, mayor of the city of Utica, returning Assembly bill (No. 993, Senate reprint No. 847, Int. No. 893) entitled "An act in relation to certain grade crossings in the city of Utica," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Young, of New York, and Mr. Smith, of Dutchess, were excused until Wednesday next.

On motion of Mr. Moreland, the House adjourned.

## WEDNESDAY, MAY 1, 1907.

The House met pursuant to adjournment.

Prayer by Rev. Ira M. Derrick, Rensselaer.

On motion of Mr. Moreland, the reading of the journal of yesterday was dispensed with, and the same was approved.

Mr. Speaker presented the Thirty-fifth Annual Report of the Le Couteulx Saint Mary's Institution for Deaf-Mutes, which was laid upon the table.

Mr. Schoeneck gives notice that he requests that the Senate bill introduced by Mr. Armstrong (No. 1201, Assembly reprint No. 2594, Rec. No. 260) entitled "An act to amend the State Finance Law, in relation to the duties of State officers concerning receipts and expenditures," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Wells gives notice that he requests that Assembly bill (No. 2599, Int. No. 1054) entitled "An act to amend the Greater New York charter and the Municipal Court Act of the city of New York, by providing for a reorganization of the Municipal Court of the city of New York, and for changes in the constitution and in the powers of said court and in the practice thereon; and assistant clerks and to regulate the salaries of the justices thereof," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Schoeneck gives notice that he requests that Assembly bill (No. 2541, Int. No. 1794) entitled "An act to amend the State Finance Law, in relation to the duties of State officers concerning receipts and expenditures," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. C. F. Murphy gives notice that he requests that Assembly bill (No. 2585, Int. No. 1294) entitled "An act to amend 'An

act in relation to the traffic in liquors, and for the taxation and regulation of the same, and to provide for local option,' constituting chapter twenty-nine of the general laws," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Waddell gives notice that he requests that Assembly bill (No. 2114, Int. No. 1025) entitled "An act to amend the Revised Statutes relative to the parole of prisoners from State prisons," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Phillips gives notice that he requests that Assembly bill (No. 2385, Int. No. 1594) entitled "An act to amend the Tax Law, in relation to information to be furnished to local assessing officers by recording of officers, duty of local assessing officers and providing penalties," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Phillips gives notice that he requests that Assembly bill (No. 2404, Int. No. 1592) entitled "An act to amend the Tax Law, in relation to ascertaining value of special franchises and equalization thereof, powers of State Board of Tax Commissioners, review of assessments and collection of taxes," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Duell gives notice that he requests that Assembly bill (No. 2531, Int. No. 1784) entitled "An act to authorize the city of Mount Vernon to issue bonds for the purpose of defraying a deficiency in the police fund for the fiscal year beginning May first, nineteen hundred and seven," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Phillips gives notice that he requests that Assembly bill

(No. 2152, Int. No. 1593) entitled "An act to amend the Tax Law, and providing for the assessment as a special franchise by the State Board of Tax Commissioners of an occupancy of the streets, highways and public places, where such occupancy has not been ratified by grant from public authority," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Whitley gives notice that he requests that Assembly bill (No. 1915, Int. No. 1449) entitled "An act constituting the charter of the city of Rochester as amended," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Young gives notice that he requests that Assembly bill (No. 2553, Int. No. 1468) entitled "An act to amend the Code of Civil Procedure, in relation to the discharge of a mechanic's lien," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Robinson gives notice that he requests that Assembly bill (No. 2532, Int. No. 1785) entitled "An act to amend the Tax Law, in relation to the taxation of rents reserved, and to repeal certain provisions thereof relative thereto," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Wainwright gives notice that he requests that Assembly bill (No. 2551, Int. No. 1425) entitled "An act to provide for laying out, constructing and maintaining a public park in the town of Rye, county of Westchester, and for the acquisition of lands and property for that purpose by the said town of Rye, and to provide for the payment thereof," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Patton gives notice that he requests that Assembly bill

(No. 2494, Int. No. 1473) entitled "An act to amend chapter three hundred and eight of the Laws of nineteen hundred and three, entitled 'An act to regulate the junk business and to require a person engaging in such business to procure a license,' by increasing the amount of such license in certain counties," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Prentice gives notice that he requests that Assembly bill (No. 2557, Int. No. 765) entitled "An act to amend the Penal Code, relative to the destruction of dangerous weapons," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Prince gives notice that he requests that Assembly bill (No. 2350, Int. No. 1703) entitled "An act to authorize the commissioners of the sinking fund of New York to cancel taxes for the year nineteen hundred and six affecting property belonging to Young Women's Hebrew Association," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Hubbs gives notice that he requests that Assembly bill (No. 2252, Int. No. 1323) entitled "An act to provide for repairing the docks owned by the State at Babylon and Fire Island and making an appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Hart gives notice that he requests that Assembly bill (No. 2544, Int. No. 1734) entitled "An act to amend chapter one hundred and thirty-one of the Laws of nineteen hundred and seven, entitled 'An act to authorize the city of Utica to borrow money and issue bonds for the purpose of completing the changing of the channel of the Mohawk river between said city and the town of Deerfield, and to authorize the Superintendent of Public Works

to accept said new channel,' relative to the rate of interest to be paid on bonds," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Hooper gives notice that he requests that Assembly bill (No. 2387, Int. No. 1367) entitled "An act to amend the Labor Law, relative to the employment of women and minors," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Brough gives notice that he requests that Assembly bill (No. 2335, Int. No. 1692) entitled "An act to amend chapter three hundred and thirty-four of the Laws of nineteen hundred and one, entitled 'An act in relation to tenement-houses in cities of the first class,'" a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. DeGroot gives notice that he requests that Assembly bill (No. 2521, Int. No. 735) entitled "An act to amend the Greater New York charter, in relation to telegraph linemen in the fire department," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Gunderman gives notice that he requests that Assembly bill (No. 2546, Int. No. 1690) entitled "An act to amend chapter two hundred and twelve of the Laws of eighteen hundred and eighty-eight, entitled 'An act to incorporate the city of Ithaca,' generally," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Duell gives notice that he requests that Assembly bill (No. 2522, Int. No. 1431) entitled "An act to authorize the city of New Rochelle to borrow money by the issue of bonds for the purpose of meeting deficiencies in the funds of said city," a copy

of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Gunderman gives notice that he requests that Assembly bill (No. 2545, Int. No. 1689) entitled "An act to amend chapter three hundred and fifty-eight of the Laws of eighteen hundred and ninety-three, entitled 'An act to provide for the support of the poor in the city of Ithaca,' relative to providing funds for the board of health," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Baldwin gives notice that he requests that Assembly bill (No. 2598, Int. No. 1818) entitled "An act authorizing the Marcellus and Otisco Lake Railway Company and the Newark and Marion Railway Company to use locomotive steam power as a motive power," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Oliver gives notice that he requests that the Senate bill (No. 446, Rec. No. 208) entitled "An act in relation to the use and occupancy of the Hall of Records in the county of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Prentice gives notice that he requests that Assembly bill (No. 1163, Int. No. 817) entitled "An act to amend section four hundred and thirty-six of chapter four hundred and sixty-six of the Laws of nineteen hundred and one, known as the charter of the city of New York, granting power to the board of estimate and apportionment to reconsider and redetermine the expenses to be paid by the city of New York and property owners thereof, where the cost and expense of an improvement has been assessed by said board of estimate and apportionment," a copy of which is hereto annexed, be made a special order, and asks that his re-

quest be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Parker gives notice that he requests that Senate bill (No. 1317, Rec. No. 299) entitled "An act to amend the Real Property Law, relative to furnishing certificate of recording discharge of mortgage by recording officer," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

By unanimous consent, Mr. Voss introduced a bill entitled "An act to provide for old age pensions" (Int. No. 1835), which was read the first time and referred to the committee on ways and means.

By unanimous consent, Mr. Cuvillier introduced a bill entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to article fourteen of the Constitution of the State of New York" (Int. No. 1836), which was read the first time and referred to the committee on the judiciary.

By unanimous consent, Mr. Young introduced a bill entitled "An act to amend the Lien Law, in relation to filing of contracts and orders for public improvements" (Int. No. 1837), which was read the first time and referred to the committee on general laws.

By unanimous consent, Mr. Hamn introduced a bill entitled "An act to approve a map of the highways prepared by the State Engineer and Surveyor and to provide for an apportionment of highways to be improved with funds made available by the sale of bonds under the provisions of section twelve of article seven of the Constitution, and to authorize the preparation and distribution of such maps and making an appropriation therefor" (Int. No. 1838), which was read the first time and referred to the committee on ways and means.

Also, by unanimous consent, "An act to amend chapter four hundred and sixty-nine of the Laws of nineteen hundred and six, entitled 'An act to provide for issuing of bonds of the State for the improvement of highways, and making appropriation therefor,' generally" (Int. No. 1839), which was read the first time and referred to the committee on ways and means.

By unanimous consent, Mr. F. G. Whitney introduced a bill

entitled "An act to amend chapter sixty-three of the Laws of nineteen hundred and two, entitled 'An act to incorporate the city of Fulton,' in relation to the compensation of members of the fire and police departments" (Int. No. 1840), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Eggleston introduced a bill entitled "An act to amend the Agricultural Law, in relation to the manufacture and sale of vinegar" (Int. No. 1841), which was read the first time and referred to the committee on agriculture.

By unanimous consent, Mr. Prince introduced a bill entitled "An act to amend the Greater New York charter, in relation to docket clerks in municipal courts" (Int. No. 1842), which was read the first time and referred to the committee on affairs of cities.

The Senate sent for concurrence the following entitled bills:

"An act to amend chapter one hundred and forty-six of the Laws of eighteen hundred and fifty-six, entitled 'An act authorizing the construction of a bridge across the Hudson river at Albany,' and chapter seven hundred and seventy-nine of the Laws of eighteen hundred and sixty-nine, entitled 'An act to amend the charter of the Hudson River Bridge Company,' in relation to tolls charged and collected for the use of such bridges" (No. 1376, Rec. No. 327), which was read the first time and referred to the committee on commerce and navigation.

"An act to amend chapter two hundred and forty-two of the Laws of nineteen hundred and six, entitled 'An act to amend, revise and consolidate the charter of the village of Ossining, and to extend the boundaries of said village'" (No. 1393, Rec. No. 328), which was read the first time and referred to the committee on affairs of villages.

Mr. West, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend section three hundred and eighty-two of the Penal Code, relative to frauds on hotel-keepers." (No. 2499, Int. No. 1443.)

"An act to empower the common council of the city of New Rochelle to issue and sell bonds for the purpose of defraying the expense of certain public improvements." (No. 2460, Int. No. 1752.)

"An act to extend the time within which the Danbury and Harlem Traction Company shall finish its road and put it in operation beyond its present construction and operation." (No. 2331, Int. No. 1688.)

"An act to amend the Labor Law and repeal chapter nine of the Laws of nineteen hundred and one, relative to the organization of the Department of Labor." (No. 2402, Int. No. 1601.)

"An act to reappropriate money for the erection of a State armory and stable in the city of Syracuse, as provided for by chapter seven hundred and forty-three of the Laws of nineteen hundred and five." (No. 1737, Int. No. 1366.)

"An act authorizing the fire commissioner of the city of New York to rehear the charges upon which John J. Lyons formerly a fireman in the fire department of said city, was dismissed from said department and to reinstate him in his former position." (No. 2076, Int. No. 1563.)

"An act to amend section one hundred and ninety-three of chapter two hundred and seventy-five of the Laws of eighteen hundred and ninety-nine, entitled 'An act to revise the charter of the city of Gloversville,' in relation to the purchase of school sites, and the erection and enlargement of school buildings; tax elections; the borrowing of money and issue and sale of bonds." (No. 2114, Int. No. 1720.)

"An act to provide for the construction of a stone or concrete retaining wall on the northerly side of Oneida creek in the village of Oneida Castle, and making an appropriation therefor." (No. 2250, Int. No. 798.)

"An act authorizing the board of commissioners of the sinking fund in the city of New York to cancel and annul certain unpaid taxes upon the real estate, in said city, belonging to the Friendly Aid Society." (No. 2411, Int. No. 1717.)

"An act to extend the time for the Syracuse, Skaneateles and Moravia Railroad Company to begin the construction of its road and expend thereon ten per centum of its capital, and finish and put the same in operation." (No. 2237, Int. No. 1646.)

"An act to authorize the city of Olean to sell and convey to the United States of America a portion of the public square in said city." (No. 2430, Int. No. 1758.)

"An act to limit the time within which actions may be brought for the removal of or for damages for the erection or maintenance of bay windows or ornamental projections in the city of New York." (No. 2238, Int. No. 1647.)

"An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of Oswego,' relative to the powers of policemen of said city." (No. 2513, Int. No. 1775.)

"An act to amend the State Charities Law, in relation to the number of members of the State Board of Charities." (No. 2294, Int. No. 1669.)

"An act to amend the Primary Election Law, generally." (No. 2401, Int. No. 1630.)

"An act to amend the Insurance Law, relative to the incorporation of fire insurance corporations." (No. 2512, Int. No. 1774.)

"An act to authorize the city of Olean to acquire the reversionary interest and estate in the lands constituting the public square in said city." (No. 2481, Int. No. 1759.)

"An act to amend the Greater New York charter, in relation to the police department of the city of New York." (No. 2425, Int. No. 1731.)

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Duell (No. 2531, Int. No. 1784), entitled "An act to authorize the city of Mount Vernon to issue bonds for the purpose of defraying a deficiency in the police fund for the fiscal year beginning May first, nineteen hundred and seven."

Also, Assembly bill introduced by Mr. Phillips (No. 2152, Int. No. 1593), entitled "An act to amend the Tax Law, and providing for the assessment as a special franchise by the State Board of Tax Commissioners of an occupancy of the streets, highways and public places, where such occupancy has not been ratified by grant from public authority."

Also, Assembly bill introduced by Mr. Phillips (No. 2385, Int. No. 1594), entitled "An act to amend the Tax Law, in relation to information to be furnished to local assessing officers by recording of officers, duty of local assessing officers and providing penalties."

Also, Assembly bill introduced by Mr. Phillips (No. 2404, Int. No. 1592), entitled "An act to amend the Tax Law, in relation to ascertaining value of special franchise and equalization thereof, powers of State Board of Tax Commissioners, review of assessments and collection of taxes."

Also, Assembly bill introduced by Mr. Waddell (No. 2114, Int. No. 1025), entitled "An act to amend the Revised Statutes, relative to the parole of prisoners from State prisons," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. C. F. Murphy (No. 2585, Int. No. 1294), entitled "An act to amend 'An act in relation to the traffic in liquors and for the taxation and regulation of the same, and to provide for local option,' constituting chapter twenty-nine of the general laws," reported the same with the following amendments:

Page 1, line 5, insert word "as" before word "amended".

Page 2, line 4, insert after "or" at end of line as follows: "[if in a county containing a city of the first class with]".

Page 2, line 5, insert after "commissioner" and before the second "of" as follows: "[for such county]".

Page 3, line 12, change the comma after word "business" to a semicolon.

and requests that said bill be reprinted, as amended, and recommitted to said committee.

Which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Gunderman (No. 2545, Int. No. 1689), entitled "An act to amend chapter three hundred and fifty-eight of the Laws of eighteen hundred and ninety-three, entitled 'An act to provide for the support of the poor in the

city of Ithaca,' relative to providing funds for the Board of Health."

Also, Assembly bill introduced by Mr. Baldwin (No. 2598, Int. No. 1818), entitled "An act authorizing the Marcellus and Otisco Lake Railway Company and the Newark and Marion Railway Company to use locomotive steam-power as a motive power."

Also, Assembly bill introduced by Mr. Duell (No. 2522, Int. No. 1431), entitled "An act to authorize the city of New Rochelle to borrow money by the issue of bonds for the purpose of meeting deficiencies in the funds of said city."

Also, Assembly bill introduced by Mr. Gunderman (No. 2546, Int. No. 1690), entitled "An act to amend chapter two hundred and twelve of the Laws of eighteen hundred and eighty-eight, entitled 'An act to incorporate the city of Ithaca, generally.'"

Also, Assembly bill introduced by Mr. Brough (No. 2335, Int. No. 1692), entitled "An act to amend chapter three hundred and thirty-four of the Laws of nineteen hundred and one, entitled 'An act in relation to tenement houses in cities of the first class.'"

Also, Assembly bill introduced by Mr. DeGroot (No. 2521, Int. No. 735), entitled "An act to amend the Greater New York charter, in relation to telegraph linemen in the fire department."

Also, Assembly bill introduced by Mr. Hooper (No. 2387, Int. No. 1367), entitled "An act to amend the Labor Law, relative to the employment of women and minors."

Also, Assembly bill introduced by Mr. Hart (No. 2544, Int. No. 1734), entitled "An act to amend chapter one hundred and thirty-one of the Laws of nineteen hundred and seven, entitled 'An act to authorize the city of Utica to borrow money and issue bonds for the purpose of completing the changing of the channel of the Mohawk river between said city and the town of Deerfield, and to authorize the Superintendent of Public Works to accept said new channel,' relative to the rate of interest to be paid on bonds."

Also, Assembly bill introduced by Mr. Hubbs (No. 2252, Int. No. 1118), entitled "An act to provide for repairing the docks owned by the State at Babylon and Fire Island and making an appropriation therefor."

Also, Assembly bill introduced by Mr. Prince (No. 2350, Int. No. 1703), entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain taxes for the year nineteen hundred and six affecting property situate in the borough of Manhattan in the city of New York now belonging to and upon which is erected the building of the Young Women's Hebrew Association of the city of New York."

Also, Assembly bill introduced by Mr. Patton (No. 2494, Int. No. 1473), entitled "An act to amend chapter three hundred and eight of the Laws of nineteen hundred and three, entitled 'An act to regulate the junk business, and to require a person engaging in such business to procure a license,' by increasing the amount of such license in certain counties."

Also, Assembly bill introduced by Mr. Prentice (No. 2557, Int. No. 765), entitled "An act to amend the Penal Code, relative to the destruction of dangerous weapons."

Also, Assembly bill introduced by Mr. Robinson (No. 2532, Int. No. 1785), entitled "An act to amend the Tax Law, in relation to the taxation of rents reserved, and to repeal certain provisions thereof relative thereto."

Also, Assembly bill introduced by Mr. Wainwright (No. 2551, Int. No. 1425), entitled "An act to provide for laying out, constructing and maintaining a public park in the town of Rye, county of Westchester, and for the acquisition of lands and property for that purpose by the said town of Rye, and to provide for the payment thereof."

Also, Assembly bill introduced by Mr. Young (No. 2553, Int. No. 1468), entitled "An act to amend the Code of Civil Procedure, in relation to the discharge of a mechanic's lien," reported in favor of the passage of the same without amendment, and that the same be made a special order on third reading immediately, which report was agreed to, and said bills ordered made special orders on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by committee on affairs of cities (No. 1163, Rec. No. 227), entitled "An act to amend section four hundred

and thirty-six of chapter four hundred and sixty-six of the Laws of nineteen hundred and one, known as the charter of the city of New York, granting power to the board of estimate and apportionment to reconsider and redetermine the expenses to be paid by the city of New York and property owners thereof, where the cost and expense of an improvement has been assessed by said board of estimate and apportionment."

Also, Senate bill introduced by Mr. Hooker (No. 1317, Rec. No. 299), entitled "An act to amend the Real Property Law, relative to furnishing certificate of recording discharge of mortgage by recording officers."

Also, Senate bill introduced by Mr. Grady (No. 446, Rec. No. 235), entitled "An act in relation to the use and occupancy of the Hall of Records in the county of New York," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Schoeneck (No. 2541, Int. No. 1794), entitled "An act to amend the State Finance Law, in relation to the duties of State officers concerning receipts and expenditures," retaining its place on the order of third reading, reported in favor of the passage of the same, with the following amendments:

On page 2, line 5, strike out "and the State Fair commission".

On page 2, line 12, after "prisons" insert "nor to the funds or receipts of the state fair commission except as to the unexpended balance remaining on the first day of January succeeding the annual fair".

and that the same be reprinted, as amended, and re-engrossed, and that when it shall have been on the desks of the members three calendar days it be made a special order on third reading immediately, which report was agreed to, and said bill ordered reprinted, as amended, and re-engrossed, and when it shall have been

on the desks of the members three calendar legislative days it be made a special order on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Wells (No. 2599, Int. No. 1054), entitled "An act to amend the Greater New York charter, and the Municipal Court Act of the city of New York, by providing for a reorganization of the Municipal Court of the city of New York and for changes in the constitution and in the powers of said court and in the practice therein; and assistant clerks and to regulate the salaries of the justices thereof," reported the same with the following amendments:

On page 5, line 17, strike out the word "thirteen" and put in its place the word "fourteen" in italics.

On page 5, after line 18, insert the following paragraph in italics:

"One additional justice for the second district of the borough of Manhattan, as hereby constituted."

On page 8, line 18, change the italicized word "or" to ordinary type.

On page 10, line 25, after word "sixty-fifth" and before the comma insert the word "street" in ordinary type.

On page 11, line 7, strike out the word "line" and insert the word "lines" in italics. On same line, strike out words "Fourth avenue, the Bowery" and insert in place thereof the words "Second avenue, Chrystie street, Division street" in italics.

On page 11, line 12, strike out the word "line" and insert the word "lines" in italics. On same line strike out words "Fourth avenue, the Bowery" and insert the words "Second avenue, Chrystie street, Division street" in italics.

On page 12, line 7, strike out the words "to Fifth".

On page 12, line 8, strike out the word "avenue".

On page 12, line 8, correct spelling of word "ninety-sixth".

On page 12, line 17, strike out the word "Lenox" and insert in place thereof the word "Fifth".

On page 13, line 2, after the word "street" and before the semicolon, insert the words "and by the center line of Fifty-ninth street from the center line of Seventh avenue to the center line of Central Park West".

On page 13, line 4, after the word "park" and before the semicolon, insert the words "and by the center line of Fifth avenue from the center line of Ninety-sixth street to the center line of One Hundred and Tenth street".

On page 13, line 5, after the word "street" strike out the words "and its projection through Central Park to Central Park West," and insert in place thereof the following words "from the center line of Lexington avenue to the center line of Fifth avenue and by One Hundred and Tenth street from Fifth avenue to Central Park West".

On page 15, line 5, strike out the word "The" and insert in place thereof "Except as herein provided, the" in italics.

On page 15, line 11, after word "each" insert word "additional".

On page 15, line 10, strike out the comma and insert in place thereof a period.

On page 15, line 10, strike out the words "except as herein provided".

On page 15, line 12, strike out the word "additional" and insert in place thereof the word "assistant" in italics.

On page 15, line 26, after the word "clerks" insert a comma.

On page 16, line 9, after the word "clerk" first in said line, insert a comma.

On page 16, line 10, change the italicized word "clerk" to ordinary print.

On page 16, line 13, strike out the word "the".

Page 19, line 2, insert a comma after the word "minutes".

Page 19, line 3, italicize the word "or".

Page 19, line 6, cut off the letter "s" at the end of the word "services".

Page 19, line 18, after the word "and" insert the word "may" in ordinary type.

Page 19, line 19, after the word "add" insert the word "to" in ordinary type.

Page 19, line 19, change the period after the word "subjects" to a colon.

Page 19, line 20, change the word "open" to "opened" in ordinary type and insert a comma after the word "day".

Page 19, line 23, italicize the words "deputy clerk".

Page 19, line 24, strike out comma after the word "employees".

Page 20, line 11, after the word "holding" insert the words in ordinary type "the same as that each justice after holding".

Page 20, line 10, insert a comma after the word "forenoon".

Page 20, line 13, insert a comma after the word "districts", change the word "one" when it first occurs to "once".

Page 20, line 16, insert word "a" after "if".

Page 20, line 17, change word "vacancies" to "vacancy" and change word "exist" to "exists".

Page 20, line 23, strike out the commas both before and after the word "following".

Page 21, line 9, strike out the comma.

Page 21, line 12, insert a comma after the word "cause".

and requests that said bill be reprinted, as amended, and recommitted to said committee.

Which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill introduced by Mr. Armstrong (No. 1201, Assembly reprint No. 2594, Rec. No. 260), entitled "An act to amend the State Finance Law, in relation to the duties of State officers concerning receipts and expenditures," reported in favor of the passage of the same, with the following amendments:

On page 2, line 8, strike out "the state fair commission".

On page 2, line 13, strike out the bracket.

On page 2, line 16, after "prisons" insert "nor to the funds or receipts of the state fair commission except as to the unexpended balance remaining on the first day of January succeeding the annual fair [".

and that the same be reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after consideration of the special orders on third reading theretofore reported.

Which report was agreed to, and said bill ordered reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Robinson (No. 1777, Int. No. 1397), entitled "An act to amend the Tax Law, in relation to the tax on transfers of stock and refunding taxes erroneously paid or unlawfully exacted," reported the same with the following amendments:

Page 3, lines 2 and 3, strike out all matter in italics.

Page 3, lines 6, 7, 8 and 9, strike out all matter in italics.

Page 3, line 5, strike out comma and insert period.

and requests that said bill be reprinted, as amended, and re-committed to said committee.

Which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

By unanimous consent, Mr. Shuttleworth, from the committee on privileges and elections, presented the following report:

IN THE ASSEMBLY OF THE STATE OF NEW YORK.

In the Matter of the Contest of William Keegan for the seat now held by George A. Voss, for the Ninth Assembly District of the county of Kings.

*To the Honorable Assembly of the State of New York:*

Your standing committee on Privileges and Elections to whom was referred the above contest, reports as follows:

That the petitioner herein, William Keegan, was a resident and an elector of the Ninth Assembly District of the county of Kings, and was the duly nominated democratic candidate for the office of Member of Assembly from said district, at the general election held November 6, 1906.

That the contestee, George J. Voss, was a resident and an elector of the said Assembly district and was the regular Republican candidate for said office at said election.

That upon the face of the returns as filed by the inspectors of election of the said Assembly district, and as canvassed by the board of canvassers of the said county of Kings the petitioner herein, William Keegan, received 3,556 votes, and the contestee, the said George J. Voss, received 3,550 votes, thus giving to the said Keegan a plurality of six votes as appears by the tabulated statement hereto attached as a part of this report.

That the contestee herein, George J. Voss, thereupon brought certain proceedings in the Supreme Court of the county of Kings against the board of canvassers of said county to require a recount of the so-called "void" and "protested" ballots. The proceedings upon said application were had before Mr. Justice Dickey, and a writ of mandamus was issued to said board of canvassers, and upon the return thereof the so-called "void" and "protested" ballots were examined and a final order made under and by virtue of which certain ballots were deducted from and certain ballots

added to each of the said candidates so that as a result of such order the said board of canvassers of Kings county made a certificate wherein the said George J. Voss, received 3,554 votes for said office, and said William Keegan received 3,552 votes for said office, and the said Voss was thus ordered elected to the said office by a plurality of two votes. The said George J. Voss thereupon assumed the duties of said office and is now acting as the Member of Assembly from such district.

The contestant herein, the said William Keegan, in his petition alleged that a recount of all the ballots cast in said district and a review of the said legal proceedings would result in a much larger plurality for himself than the inspectors' count originally gave him.

As the accuracy of the inspectors' count was questioned, together with the justice of the court's decisions in said legal proceedings, and the vote being very close, your committee decided it could only do justice to both claimants by counting anew the entire vote of the said district. We, therefore, made a count of the entire vote in said district, including the "void" and "protested" ballots passed upon by the court in said legal proceedings.

We have made as the basis of our figures the vote as determined by the board of canvassers of said county, after compliance with the order of said court to wit: For Keegan, 3,552, for Voss, 3,554, adding to or deducting from the said vote for such claimant according to the gain or loss shown to each by districts as the count was made by your committee.

A recapitulation of such vote both as to the "void" and "protested" ballots and the entire Assembly district by election districts showing the gain or loss sustained by each claimant in each of said election districts, and the total net loss to each according to your committee's count is hereto attached and forms a part of this report.

From such recapitulation it will be seen that the total net loss to the contestant, William Keegan, is 54 votes, which number taken from 3,552 leaves 3,498, the total vote for the said William Keegan in the entire district.

In the same manner it will be seen that the total net loss to the contestee, George J. Voss, is 29 votes, which taken from 3,554 leaves 3,525, the total vote for the said George J. Voss, in the entire district, or a plurality of 27 votes for the said George J. Voss.

Your committee, therefore, finds from a careful consideration of the evidence and facts presented before it, and a careful recount of all the ballots cast in said Assembly district for the office of Member of Assembly at the said general election that the contestant has failed to establish the allegations of his petition filed herein, and

that the said George J. Voss, was duly elected to said office from January 1, 1907, to January 1, 1908, by a plurality of 27 votes, and your committee would, therefore, recommend the adoption of a resolution to carry into effect this report.

All of which is respectfully submitted.

Dated, ALBANY, N. Y., April 30, 1907.

L. J. SHUTTLEWORTH, *Chairman*.  
C. R. MATTHEWS,  
WILLIAM YOUNG,  
CHARLES WEBER,  
W. D. DRAPER,  
CHARLES SMITH,  
CONRAD GARBE,  
JOHN H. DONNELLY,  
JAMES J. HOEY.

Mr. Shuttleworth moved that said report be adopted.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the Senate bill (No. 1331) entitled "An act to amend the Tax Law, in relation to the recording tax on mortgages." (Rec. No. 323.)

On motion of Mr. Schoeneck, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Merritt	Sheridan
Apgar	Donnelly	Haines	Miller	Shuttleworth
Averill	Dowling	Hamilton	Mills	Sinclair
Baldwin	Draper	Hammond	Mooney	Smith A E
Baumann	Dudley	Hamn	Moreland	Smith C
Blue	Duell	Harawitz	Morgan	Staley
Bohan	Eggleston	Harper	Murphy C F	Stern
Boshart	Eichhorn	Harris	Murphy G W	Stratton
Brady	Farrell	Hart	Nevins	Surpluss

Brough	Ferguson	Hoey	Newton	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Waddell
Burns	Foley J A	Jacobs	Oliver	Wainwright
Burzynski	Fowler	Keller	Parker	Walters
Chamberlain	Francis	Lansing	Patton	Waters
Cole	Frisbie	Lee	Phillips	Weber
Collins	Ganly	Lewis	Prentice	Weimert
Colné	Garbe	Loos	Prince	Wells
Conklin	Geoghagan	Lowe	Ralston	Whitley
Conrady	Glore	Lupton	Reece	Whitney F G
Croak	Gluck	Maher	Robinson	Whitney G H
Cunningham	Glynn	Mallon	Rogers	Winters
Cuvillier	Goldberg	Marlatt	Schmidt	Wood
De Groot	Green	Matthews	Schoeneck	Yale
Dobbs	Gunderman	McCue	Schwegler	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Rogers moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Allen	Dowling	Hackett	McCue	Smith A E
Averill	Draper	Haines	Miller	Smith C
Blue	Dudley	Hamilton	Mills	Staley
Bohan	Duell	Hammond	Moreland	Stanton
Boshart	Eagleton	Hamn	Morgan	Stern
Brady	Eggleston	Harris	Murphy C F	Stratton
Brooks	Eichhorn	Holmes	Murphy G W	Surplless
Brough	Fay	Hooper	Nevins	Voss
Burhyte	Ferguson	Hubbs	Newton	Waddell
Burzynski	Filley	Huth	O'Brian	Wagner
Cavanaugh	Foley C F	Jackson	Oliver	Waters
Chamberlain	Foley J A	Jacobs	Parker	Weber
Cole	Fowler	Keller	Patton	Weimert
Colné	Francis	Lansing	Phillips	Wells
Conklin	Frisbie	Lewis	Ralston	West
Conrady	Ganly	Loos	Reece	Whitley
Croak	Geoghagan	Lowe	Robinson	Whitney F G
Cunningham	Glore	Lupton	Rogers	Whitney G H
Cuvillier	Glynn	Maher	Schoeneck	Winters
De Groot	Gray	Mallon	Sheridan	Wood
Dobbs	Green	Mance	Shuttleworth	Yale
Dominy	Gunderman	Matthews	Sinclair	Young
Donnelly				

Mr. Rogers moved that the call of the House be made a close call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the bill (No. 1772) entitled "An act to amend the Code of Criminal Procedure, relative to the appointment of probationary officers, and defining their duties, and with relation to criminal statistics." (Int. No. 1390.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 97

NOES 25

Those who voted in the affirmative were:

Allen	Duell	Harris	Murphy C F	Staley
Apgar	Eggleston	Hoey	Murphy G W	Stanton
Blue	Eichhorn	Holmes	Nevins	Stevenson
Brady	Ferguson	Hooper	Newton	Stratton
Brough	Filley	Hubbs	O'Brian	Surpless
Brown	Flanagan	Hurd	Oliver	Voss
Burhyte	Foley C F	Huth	Parker	Waddell
Chamberlain	Fowler	Keller	Patton	Waters
Cole	Francis	Lansing	Phillips	Weber
Colné	Frisbie	Lee	Prentice	Weimert
Conklin	Garbe	Lewis	Ralston	Wells
Conrady	Glore	Lupton	Reece	West
Cunningham	Gray	Maher	Robinson	Whitley
Cuvillier	Green	Mance	Rogers	Whitney F G
De Groot	Gunderman	Matthews	Schoeneck	Whitney G H
Dobbs	Haines	Miller	Sheridan	Winters
Dominy	Hamilton	Mills	Shuttleworth	Wood
Dowling	Hammond	Moreland	Sinclair	Yale
Draper	Hamn	Morgan	Smith C	Young
Dudley	Harper			

Those who voted in the negative were:

Averill	Croak	Gluck	Loos	Schmidt
Bohan	Donnelly	Glynn	Mallon	Schwegler
Brooks	Eagleton	Goldberg	McCue	Smith A E
Burns	Fay	Hackett	Northrup	Wagner
Burzynski	Foley J A	Jackson	Prince	Walters

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1773) entitled "An act to amend section two hundred and ninety-one of the Penal Code of the State of New York." (Int. No. 1391.)

Said bill was read the third time; having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 97

NOES 25

Those who voted in the affirmative were:

Allen	Duell	Harris	Murphy C F	Staley
Apgar	Eggleston	Hoey	Murphy G W	Stanton
Blue	Eichhorn	Holmes	Nevins	Stevenson
Brady	Ferguson	Hooper	Newton	Stratton
Brough	Filley	Hubbs	O'Brian	Surpless
Brown	Flanagan	Hurd	Oliver	Voss
Burhyte	Foley C F	Huth	Parker	Waddell
Chamberlain	Fowler	Keller	Patton	Waters
Cole	Francis	Lansing	Phillips	Weber
Colné	Frisbie	Lee	Prentice	Weimert
Conklin	Garbe	Lewis	Ralston	Wells
Conrady	Glore	Lupton	Reece	West
Cunningham	Gray	Maher	Robinson	Whitley
Cuvillier	Green	Mance	Rogers	Whitney F G
De Groot	Gunderman	Matthews	Schoeneck	Whitney G H
Dobbs	Haines	Miller	Sheridan	Winters
Dominy	Hamilton	Mills	Shuttleworth	Wood
Dowling	Hammond	Moreland	Sinclair	Yale
Draper	Hamn	Morgan	Smith C	Young
Dudley	Harper			

Those who voted in the negative were:

Averill	Croak	Gluck	Loos	Schmidt
Bohan	Donnelly	Glynn	Mallon	Schwegler
Brooks	Eagleton	Goldberg	McCue	Smith A E
Burns	Fay	Hackett	Northrup	Wagner
Burzynski	Foley J A	Jackson	Prince	Walters

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No.

1774) entitled "An act to authorize the board of estimate and apportionment of the city of New York to hear, determine, audit and allow claims of certain persons for services as probation officers in the city of New York, and directing the comptroller to pay such claims as may be allowed for such services by said board." (Int. No. 1393.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 97

NOES 25

Those who voted in the affirmative were:

Allen	Duell	Harris	Murphy C F	Staley
Apgar	Eggleston	Hoey	Murphy G W	Stanton
Blue	Eichhorn	Holmes	Nevins	Stevenson
Brady	Ferguson	Hooper	Newton	Stratton
Brough	Filley	Hubbs	O'Brian	Surpluss
Brown	Flanagan	Hurd	Oliver	Voss
Burhyte	Foley C F	Huth	Parker	Waddell
Chamberlain	Fowler	Keler	Patton	Waters
Cole	Francis	Lansing	Phillips	Weber
Colné	Frisbie	Lee	Prentice	Weimert
Conklin	Garbe	Lewis	Ralston	Wells
Conrady	Glore	Lupton	Reece	West
Cunningham	Gray	Maher	Robinson	Whitley
Cuvillier	Green	Mance	Rogers	Whitney F G
De Groot	Gunderman	Matthews	Schoeneck	Whitney G H
Dobbs	Haines	Miller	Sheridan	Winters
Dominy	Hamilton	Mills	Shuttleworth	Wood
Dowling	Hammond	Moreland	Sinclair	Yale
Draper	Hamn	Morgan	Smith C	Young
Dudley	Harper			

Those who voted in the negative were:

Averill	Croak	Gluck	Loos	Schmidt
Bohan	Donnelly	Glynn	Mallon	Schwegler
Brooks	Eagleton	Goldberg	McCue	Smith A E
Burns	Fay	Hackett	Northrup	Wagner
Burzynski	Foley J A	Jackson	Prince	Walters

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No.

1776) entitled "An act to amend chapter fourteen of the Laws of eighteen hundred and eighty, entitled 'An act to further amend chapter one hundred and forty-three of the Laws of eighteen hundred and sixty-one, entitled "An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,"' and to consolidate therewith the several acts in relation to the charter of said city." (Int. No. 1395.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 97

NOES 25

Those who voted in the affirmative were:

Allen	Duell	Harris	Murphy C F	Staley
Apgar	Eggleston	Hoey	Murphy G W	Stanton
Blue	Eichhorn	Holmes	Nevins	Stevenson
Brady	Ferguson	Hooper	Newton	Stratton
Brough	Filley	Hubbs	O'Brian	Surpless
Brown	Flanagan	Hurd	Oliver	Voss
Burhyte	Foley C F	Huth	Parker	Waddell
Chamberlain	Fowler	Keller	Patton	Waters
Cole	Francis	Lansing	Phillips	Weber
Colné	Frisbie	Lee	Prentice	Weimert
Conklin	Garbe	Lewis	Ralston	Wells
Conrady	Glore	Lupton	Reece	West
Cunningham	Gray	Maher	Robinson	Whitley
Cuvillier	Green	Mance	Rogers	Whitney F G
De Groot	Gunderman	Matthews	Schoeneck	Whitney G H
Dobbs	Haines	Miller	Sheridan	Winters
Dominy	Hamilton	Mills	Shuttleworth	Wood
Dowling	Hammond	Moreland	Sinclair	Yale
Draper	Hamn	Morgan	Smith C	Young
Dudley	Harper			

Those who voted in the negative were:

Averill	Croak	Gluck	Loos	Schmidt
Bohan	Donnelly	Glynn	Mallon	Schwegler
Brooks	Eagleton	Goldberg	McCue	Smith A E
Burns	Fay	Hackett	Northrup	Wagner
Burzynski	Foley J A	Jackson	Prince	Walters

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1789) entitled "An act to amend the Greater New York charter, relative to the commitment of persons convicted of public intoxication, disorderly conduct and vagrancy." (Int. No. 1392.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 97

NOES 25

Those who voted in the affirmative were:

Allen	Duell	Harris	Murphy C F	Staley
Apgar	Eggleston	Hoey	Murphy G W	Stanton
Blue	Eichhorn	Holmes	Nevins	Stevenson
Brady	Ferguson	Hooper	Newton	Stratton
Brough	Filley	Hubbs	O'Brian	Surpless
Brown	Flanagan	Hurd	Oliver	Voss
Burhyte	Foley C F	Huth	Parker	Waddell
Chamberlain	Fowler	Keller	Patton	Waters
Cole	Francis	Lansing	Phillips	Weber
Colné	Frisbie	Lee	Prentice	Weimert
Conklin	Garbe	Lewis	Ralston	Wells
Conrady	Glore	Lupton	Reece	West
Cunningham	Gray	Maher	Robinson	Whitley
Cuvillier	Green	Mance	Rogers	Whitney F G
De Groot	Gunderman	Matthews	Schoeneck	Whitney G H
Dobbs	Haines	Miller	Sheridan	Winters
Dominy	Hamilton	Mills	Shuttleworth	Wood
Dowling	Hammond	Moreland	Sinclair	Yale
Draper	Hamn	Morgan	Smith C	Young
Dudley	Harper			

Those who voted in the negative were:

Averill	Croak	Gluck	Loos	Schmidt
Bohan	Donnelly	Glynn	Mallon	Schwegler
Brooks	Eagleton	Goldberg	McCue	Smith A E
Burns	Fay	Hackett	Northrup	Wagner
Burzynski	Foley J A	Jackson	Prince	Walters

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2403) entitled "An act in relation to probation in the State of New York, constituting chapter fifty-two of the general laws." (Int. No. 1389.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 97

NOES 25

Those who voted in the affirmative were:

Allen	Duell	Harris	Murphy C F	Staley
Apgar	Eggleston	Hoey	Murphy G W	Stanton
Blue	Eichhorn	Holmes	Nevins	Stevenson
Brady	Ferguson	Hooper	Newton	Stratton
Brough	Filley	Hubbs	O'Brian	Surpluss
Brown	Flanagan	Hurd	Oliver	Voss
Burhyte	Foley C F	Huth	Parker	Waddell
Chamberlain	Fowler	Keller	Patton	Waters
Cole	Francis	Lansing	Phillips	Weber
Colné	Frisbie	Lee	Prentice	Weimert
Conklin	Garbe	Lewis	Ralston	Wells
Conrady	Glore	Lupton	Reece	West
Cunningham	Gray	Maher	Robinson	Whitley
Cuvillier	Green	Mance	Rogers	Whitney F G
De Groot	Gunderman	Matthews	Schoeneck	Whitney G H
Dobbs	Haines	Miller	Sheridan	Winters
Dominy	Hamilton	Mills	Shuttleworth	Wood
Dowling	Hammond	Moreland	Sinclair	Yale
Draper	Hamn	Morgan	Smith C	Young
Dudley	Harper			

Those who voted in the negative were:

Averill	Croak	Gluck	Loos	Schmidt
Bohan	Donnelly	Glynn	Mallon	Schwegler
Brooks	Eagleton	Goldberg	McCue	Smith A E
Burns	Fay	Hackett	Northrup	Wagner
Burzynski	Foley J A	Jackson	Prince	Walters

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1775) entitled "An act to repeal section three hundred and eighty-four-b and three hundred and eighty-four-c of chapter one hundred and five of the Laws of the year eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter six hundred and twenty-seven of the Laws of the year nineteen hundred and one, in relation to the police justice." (Int. No. 1394.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 97

NOES 25

Those who voted in the affirmative were:

Allen	Duell	Harris	Murphy C F	Staley
Apgar	Eggleston	Hoey	Murphy G W	Stanton
Blue	Eichhorn	Holmes	Nevins	Stevenson
Brady	Ferguson	Hooper	Newton	Stratton
Brough	Filley	Hubbs	O'Brian	Surpless
Brown	Flanagan	Hurd	Oliver	Voss
Burhyte	Foley C F	Huth	Parker	Waddell
Chamberlain	Fowler	Keller	Patton	Waters
Cole	Francis	Lansing	Phillips	Weber
Colné	Frisbie	Lee	Prentice	Weimert
Conklin	Garbe	Lewis	Ralston	Wells
Conrady	Glore	Lupton	Reece	West
Cunningham	Gray	Maher	Robinson	Whitley
Cuvillier	Green	Mance	Rogers	Whitney F G
De Groot	Gunderman	Matthews	Schoeneck	Whitney G H
Dobbs	Haines	Miller	Sheridan	Winters
Dominy	Hamilton	Mills	Shuttleworth	Wood
Dowling	Hammond	Moreland	Sinclair	Yale
Draper	Hamm	Morgan	Smith C	Young
Dudley	Harper			

Those who voted in the negative were:

Averill	Croak	Gluck	Loos	Schmidt
Bohan	Donnelly	Glynn	Mallon	Schwegler
Brooks	Eagleton	Goldberg	McCue	Smith A E
Burns	Fay	Hackett	Northrup	Wagner
Burzynski	Foley J A	Jackson	Prince	Walters

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2336) entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' relating to the official printing of said city." (Int. No. 1694.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sheridan
Apgar	Donnelly	Haines	Merritt	Shuttleworth
Averill	Dowling	Hamilton	Miller	Sinclair
Baldwin	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Staley
Bohan	Eggleston	Harper	Morgan	Stern
Boshart	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Waddell
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jacobs	Parker	Walters
Chamberlain	Francis	Keller	Patton	Waters
Cole	Frisbie	Lansing	Phillips	Weber
Collins	Ganly	Lee	Prentice	Weimert
Colne	Garbe	Lewis	Prince	Wells
Conklin	Geoghagan	Loos	Ralston	Whitley
Conrady	Glore	Lowe	Reece	Whitney F G
Croak	Gluck	Lupton	Robinson	Whitney G H
Cunningham	Glynn	Maher	Rogers	Winters
Cuvillier	Goldberg	Mallon	Schmidt	Wood
De Groot	Green	Marlatt	Schoeneck	Yale
Dobbs	Gunderman	Matthews	Schwegler	Young

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2531) entitled "An act to authorize the city of Mount Vernon to issue bonds for the purpose of defraying a deficiency in the police fund for the fiscal year beginning May first, nineteen hundred and seven." (Int. No. 1784.)

Said bill having been announced for a second reading, on motion of Mr. Duell, and by unanimous consent, said bill was made a special order on second and third reading for Monday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 2152) entitled "An act to amend the Tax Law, and providing for the assessment as a special franchise by the State Board of

Tax Commissioners of an occupancy of the streets, highways and public places, where such occupancy has not been ratified by grant from public authority." (Int. No. 1593.)

Said bill having been announced for a second reading, on motion of Mr. Phillips, and by unanimous consent, said bill was made a special order on second and third reading for Wednesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 2385) entitled "An act to amend the Tax Law, in relation to information to be furnished to local assessing officers by recording officers, duty of local assessing officers and providing penalties." (Int. No. 1594.)

Said bill having been announced for a second reading, on motion of Mr. Phillips, and by unanimous consent, said bill was made a special order on second and third reading for Wednesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 2404) entitled "An act to amend the Tax Law, in relation to ascertaining value of special franchise and equalization thereof, powers of State Board of Tax Commissioners, review of assessments and collection of taxes." (Int. No. 1592.)

Said bill having been announced for a second reading, on motion of Mr. Phillips, and by unanimous consent, said bill was made a special order on second and third reading for Wednesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 2114) entitled "An act to amend the Revised Statutes relative to the parole of prisoners from State prisons." (Int. No. 1025.)

On motion of Mr. Waddell, said bill was read the second time and ordered to a third reading.

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sheridan
Apgar	Donnelly	Haines	Merritt	Shuttleworth
Averill	Dowling	Hamilton	Miller	Sinclair
Baldwin	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Staley
Bohan	Eggleston	Harper	Morgan	Stern
Boshart	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Waddell
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jacobs	Parker	Walters
Chamberlain	Francis	Keller	Patton	Waters
Cole	Frisbie	Lansing	Phillips	Weber
Collins	Ganly	Lee	Prentice	Weimert
Colné	Garbe	Lewis	Prince	Wells
Conklin	Geoghagan	Loos	Ralston	Whitley
Conrady	Glore	Lowe	Reece	Whitney F G
Croak	Gluck	Lupton	Robinson	Whitney G H
Cunningham	Glynn	Maher	Rogers	Winters
Cuvillier	Goldberg	Mallon	Schmidt	Wood
De Groot	Green	Marlatt	Schoeneck	Yale
Dobbs	Gunderman	Matthews	Schwegler	Young

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1201, Assembly reprint No. 2594) entitled "An act to amend the State Finance Law, in relation to the duties of State officers concerning receipts and expenditures." (Rec. No. 260.)

Said bill having been announced for a second reading, on motion of Mr. Hammond, said bill was recommitted to the committee on rules, retaining its place on the order of second reading.

Mr. Speaker announced the special order, being the Senate bill (No. 446) entitled "An act in relation to the use and occupancy of the Hall of Records in the county of New York." (Rec. No. 235.)

On motion of Mr. Oliver, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sheridan
Apgar	Donnelly	Haines	Merritt	Shuttleworth
Averill	Dowling	Hamilton	Miller	Sinclair
Baldwin	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Staley
Bohan	Eggleston	Harper	Morgan	Stern
Boshart	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Waddell
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jacobs	Parker	Walters
Chamberlain	Francis	Keller	Patton	Waters
Cole	Frisbie	Lansing	Phillips	Weber
Collins	Ganly	Lee	Prentice	Weimert
Colné	Garbe	Lewis	Prince	Wells
Conklin	Geoghagan	Loos	Ralston	Whitley
Conrady	Glore	Lowe	Reece	Whitney F G
Croak	Gluck	Lupton	Robinson	Whitney G H
Cunningham	Glynn	Maher	Rogers	Winters
Cuvillier	Goldberg	Mallon	Schmidt	Wood
De Groot	Green	Marlatt	Schoeneck	Yale
Dobbs	Gunderman	Matthews	Schwegler	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1317) entitled "An act to amend the Real Property Law, relative to furnishing certificate of recording discharge of mortgage by recording officer." (Rec. No. 299.)

On motion of Mr. Parker, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sheridan
Apgar	Donnelly	Haines	Merritt	Shuttleworth
Averill	Dowling	Hamilton	Miller	Sinclair
Baldwin	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Staley
Bohan	Eggleston	Harper	Morgan	Stern
Boshart	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Waddell
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jacobs	Parker	Walters
Chamberlain	Francis	Keller	Patton	Waters
Cole	Frisbie	Lansing	Phillips	Weber
Collins	Ganly	Lee	Prentice	Weimert
Colzé	Garbe	Lewis	Prince	Wells
Conklin	Geoghagan	Loos	Ralston	Whitley
Conrady	Glore	Lowe	Reece	Whitney F G
Croak	Gluck	Lupton	Robinson	Whitney G H
Cunningham	Glynn	Maher	Rogers	Winters
Cuvillier	Goldberg	Mallon	Schmidt	Wood
De Groot	Green	Marlatt	Schoeneck	Yale
Dobbs	Gunderman	Matthews	Schwegler	Young

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1163 entitled "An act to amend section four hundred and thirty-six of chapter four hundred and sixty-six of the Laws of nineteen hundred and one, known as the charter of the city of New York, granting power to the board of estimate and apportionment to reconsider and redetermine the expenses to be paid by the city of New York and property owners thereof, where the cost and expense of an improvement has been assessed by said board of estimate and apportionment." (Rec. No. 227.)

On motion of Mr. Dowling, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Nominy	Hackett	McCue	Sheridan
Apgar	Donnelly	Haines	Merritt	Shuttleworth
Averill	Dowling	Hamilton	Miller	Sinclair
Baldwin	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Staley
Bohan	Eggleston	Harper	Morgan	Stern
Boshart	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Snrplless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Waddell
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jacobs	Parker	Walters
Chamberlain	Francis	Keller	Patton	Waters
Cole	Frisbie	Lansing	Phillips	Weber
Collins	Ganly	Lee	Prentice	Weimert
Colné	Garbe	Lewis	Prince	Wells
Conklin	Geoghagan	Loos	Ralston	Whitley
Conrady	Glore	Lowe	Reece	Whitney F G
Croak	Gluck	Lupton	Robinson	Whitney G H
Cunningham	Glynn	Maher	Rogers	Winters
Cuvillier	Goldberg	Mallon	Schmidt	Wood
De Groot	Green	Marlatt	Schoeneck	Yale
Dobbs	Gunderman	Matthews	Schwegler	Young

Ordered, That the Clerk-engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2494) entitled "An act to amend chapter three hundred and eight of the Laws of nineteen hundred and three, entitled 'An act to regulate the junk business, and to require a person engaging in such business to procure a license,' by increasing the amount of such license in certain counties." (Int. No. 1473.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sheridan
Apgar	Donnelly	Haines	Merritt	Shuttleworth
Averill	Dowling	Hamilton	Miller	Sinclair
Baldwin	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Staley
Bohan	Eggleston	Harper	Morgan	Stern
Boshart	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Wainwright
Burns	Foley J A	Huth	Oliver	Walters
Burzynski	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Frisbie	Lansing	Phillips	Weimert
Collins	Ganly	Lee	Prentice	Wells
Colné	Garbe	Lewis	Prince	Whitley
Conklin	Geoghagan	Loos	Ralston	Whitney F G
Conrady	Glore	Lowe	Reece	Whitney G H
Croak	Gluck	Lupton	Robinson	Winters
Cunningham	Glynn	Maher	Rogers	Wood
Cuvillier	Goldberg	Mallon	Schmidt	Yale
Ce Groot	Green	Marlatt	Schoeneck	Young
Dobbs	Gunderman	Matthews	Schwegler	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2557) entitled "An act to amend the Penal Code, relative to the destruction of dangerous weapons." (Int. No. 765.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sheridan
Apgar	Donnelly	Haines	Merritt	Shuttleworth
Averill	Dowling	Hamilton	Miller	Sinclair
Baldwin	Draper	Hammond	Mills	Smith A E

Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Staley
Bohan	Eggleston	Harper	Morgan	Stern
Boshart	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Wainwright
Burns	Foley J A	Huth	Oliver	Walters
Burzynski	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Frisbie	Lansing	Phillips	Weimert
Collins	Ganly	Lee	Prentice	Wells
Colné	Garbe	Lewis	Prince	Whitley
Conklin	Geoghagan	Loos	Ralston	Whitney F G
Conrady	Glore	Lowe	Reece	Whitney G H
Croak	Gluck	Lupton	Robinson	Winters
Cunningham	Glynn	Maher	Rogers	Wood
Cuvillier	Goldberg	Mallon	Schmidt	Yale
De Groot	Green	Marlatt	Schoeneck	Young
Dobbs	Gunderman	Matthews	Schwegler	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Rogers moved that all further proceedings under the close call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the bill (No. 2532) entitled "An act to amend the Tax Law, in relation to the taxation of rents reserved, and to repeal certain provisions thereof relative thereto." (Int. No. 1785.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 1

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Apgar	Donnelly	Haines	Merritt	Sinclair
Averill	Dowling	Hamilton	Miller	Smith A E
Baldwin	Draper	Hammond	Mills	Smith C
Baumann	Dudley	Hamn	Mooney	Staley

Blue	Duell	Harawitz	Moreland	Stern
Bohan	Eggleston	Harper	Morgan	Stratton
Boshart	Eichhorn	Harris	Murphy C F	Surpless
Brady	Farrell	Hart	Murphy G W	Todd
Brough	Ferguson	Hoey	Nevins	Volk
Brown	Feth	Holmes	Northrup	Voss
Buckley	Filley	Hubbs	Norton	Waddell
Burhyte	Flanagan	Hurd	O'Brian	Wainwright
Burns	Foley J A	Huth	Oliver	Walters
Burzynski	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Frisbie	Lansing	Phillips	Weimert
Collins	Ganly	Lee	Prentice	Wells
Colné	Garbe	Lewis	Prince	Whitley
Conklin	Geoghagan	Loos	Ralston	Whitney F G
Conrady	Glore	Lowe	Reece	Whitney G H
Croak	Gluck	Lupton	Robinson	Winters
Cunningham	Glynn	Maher	Rogers	Wood
Cuvillier	Goldberg	Mallon	Schmidt	Yale
De Groot	Green	Marlatt	Schoeneck	Young
Dobbs	Gunderman	Matthews	Schwegler	

### In the negative:

Sheridan

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2551) entitled "An act to provide for laying out, constructing and maintaining a public park in the town of Rye, county of Westchester, and for the acquisition of lands and property for that purpose by the said town of Rye, and to provide for the payment thereof." (Int. No. 1425.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sheridan
Apgar	Donnelly	Haines	Merritt	Shuttleworth
Averill	Dowling	Hamilton	Miller	Sinclair
Baldwin	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Staley

Bohan	Eggleston	Harper	Morgan	Stern
Boshart	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Wainwright
Burns	Foley J A	Huth	Oliver	Walters
Burzynski	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Frisbie	Lansing	Phillips	Weimert
Collins	Ganly	Lee	Prentice	Wells
Colné	Garbe	Lewis	Prince	Whitley
Conklin	Geoghagan	Loos	Ralston	Whitney F G
Conrad	Glore	Lowe	Reece	Whitney G H
Croak	Gluck	Lupton	Robinson	Winters
Cunningham	Glynn	Maher	Rogers	Wood
Cuvillier	Goldberg	Mallon	Schmidt	Yale
De Groot	Green	Marlatt	Schoeneck	Young
Dobbs	Gunderman	Matthews	Schwegler	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2553 (entitled "An act to amend the Code of Civil Procedure in relation to the discharge of mechanic's lien." (Int. No. 1468.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sheridan
Apgar	Donnelly	Haines	Merritt	Shuttleworth
Averill	Dowling	Hamilton	Miller	Sinclair
Baldwin	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Staley
Bohan	Eggleston	Harper	Morgan	Stern
Boshart	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Waddell
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jacobs	Parker	Walters

Chamberlain	Francis	Keller	Patton	Waters
Cole	Frisbie	Lansing	Phillips	Weber
Collins	Ganly	Lee	Prentice	Weimert
Colne	Garbe	Lewis	Prince	Wells
Conklin	Geoghagan	Loos	Ralston	Whitley
Conrady	Glore	Lowe	Reece	Whitney F G
Croak	Gluck	Lupton	Robinson	Whitney G H
Cunningham	Glynn	Maher	Rogers	Winters
Cuvillier	Goldberg	Mallon	Schmidt	Wood
De Groot	Green	Marlatt	Schoeneck	Yale
Dobbs	Gunderman	Matthews	Schwegler	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2522) entitled "An act to authorize the city of New Rochelle to borrow money by the issue of bonds for the purpose of meeting deficiencies in the funds of said city." (Int. No. 1431.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 92

NOES 45

Those who voted in the affirmative were:

Allen	Draper	Hart	Murphy C F	Stanton
Apgar	Dudley	Hastings	Murphy G W	Surplless
Averill	Duell	Hooper	Nevins	Volk
Baldwin	Eggleston	Hubbs	Newton	Voss
Blue	Eichhorn	Hurd	O'Brian	Waddell
Boshart	Ferguson	Lansing	Parker	Wainwright
Brady	Filley	Lee	Patton	Waters
Brooks	Fowler	Lewis	Phillips	Weber
Brough	Francis	Lowe	Prentice	Weimert
Burhyte	Frisbie	Lupton	Ralston	Wells
Chamberlain	Glore	Maher	Reece	West
Cole	Gray	Mance	Robinson	Whitley
Colné	Green	Marlatt	Rogers	Whitney F G
Conklin	Gunderman	Matthews	Schoeneck	Whitney G H
Conrady	Haines	Miller	Shuttleworth	Winters
Cunningham	Hamilton	Mills	Sinclair	Wood
De Groot	Hammond	Moreland	Smith C	Yale
Dominy	Hamn	Morgan	Staley	Young
Dowling	Harris			

Those who voted in the negative were:

Bohan	Fay	Glynn	Keller	Schulz
Burns	Feth	Goldberg	Loos	Schwegler
Burzynski	Flanagan	Hackett	Mallon	Sheridan
Cavanaugh	Foley C F	Harawitz	McCue	Smith A E
Croak	Foley J A	Harper	Mooney	Stern
Cuvillier	Ganly	Hoey	Northrup	Stratton
Dobbs	Garbe	Holmes	Oliver	Todd
Donnelly	Geoghagan	Huth	Prince	Wagner
Eagleton	Gluck	Jackson	Schmidt	Walters

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2546) entitled "An act to amend chapter two hundred and twelve of the Laws of eighteen hundred and eighty-eight, entitled 'An act to incorporate the city of Ithaca,' generally." (Int. No. 1690.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sheridan
Apgar	Donnelly	Haines	Merritt	Shuttleworth
Averill	Dowling	Hamilton	Miller	Sinclair
Baldwin	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Staley
Bohan	Eggleston	Harper	Morgan	Stern
Boshart	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Fillee	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Waddell
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jacobs	Parker	Walters
Chamberlain	Francis	Keller	Patton	Waters
Cole	Frisbie	Lansing	Phillips	Weber
Collins	Ganly	Lee	Prentice	Weimert
Colné	Garbe	Lewis	Prince	Wells
Conklin	Geoghagan	Loos	Ralston	Whitley
Conrady	Glore	Lowe	Reece	Whitney F G
Croak	Gluck	Lupton	Robinson	Whitney G H

Cunningham	Glynn	Maher	Rogers	Winters
Cuvillier	Goldberg	Mallon	Schmidt	Wood
De Groot	Green	Marlatt	Schoeneck	Yale
Dobbs	Gunderman	Matthews	Schwegler	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2545) entitled "An act to amend chapter three hundred and fifty-eight of the Laws of eighteen hundred and ninety-three, entitled 'An act to provide for the support of the poor in the city of Ithaca,' relative to providing funds for the Board of Health." (Int. No. 1689.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sheridan
Apgar	Donnelly	Haines	Merritt	Shuttleworth
Averill	Dowling	Hamilton	Miller	Sinclair
Baldwin	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Staley
Bohan	Eggleston	Harper	Morgan	Stern
Boshart	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Waddell
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jacobs	Parker	Walters
Chamberlain	Francis	Keller	Patton	Waters
Cole	Frisbie	Lansing	Phillips	Weber
Collins	Ganly	Lee	Prentice	Weimert
Colné	Garbe	Lewis	Prince	Wells
Conklin	Geoghagan	Loos	Ralston	Whitley
Conrady	Glore	Lowe	Reece	Whitney F G
Croak	Gluck	Lupton	Robinson	Whitney G H
Cunningham	Glynn	Maher	Rogers	Winters
Cuvillier	Goldberg	Mallon	Schmidt	Wood
De Groot	Green	Marlatt	Schoeneck	Yale
Dobbs	Gunderman	Matthews	Schwegler	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2598) entitled "An act authorizing the Marcellus and Otisco Lake Railway Company and the Newark and Marion Railway Company to use locomotive steam power as a motive power." (Int. No. 1818.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sheridan
Apgar	Donnelly	Haines	Merritt	Shuttleworth
Averill	Dowling	Hamilton	Miller	Sinclair
Baldwin	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Staley
Bohan	Eggleston	Harper	Morgan	Stern
Boshart	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Surpless
Brough	Ferguson	Hoe	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Waddell
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jacobs	Parker	Walters
Chamberlain	Francis	Keller	Patton	Waters
Cole	Frisbie	Lansing	Phillips	Weber
Collins	Ganly	Lee	Prentice	Weimert
Colné	Garbe	Lewis	Prince	Wells
Conklin	Geoghagan	Loos	Ralston	Whitley
Conrady	Glore	Lowe	Reece	Whitney F G
Croak	Gluck	Lupton	Robinson	Whitney G H
Cunningham	Glynn	Maher	Rogers	Winters
Cuvillier	Goldberg	Mallon	Schmidt	Wood
De Groot	Green	Marlatt	Schoeneck	Yale
Dobbs	Gunderman	Matthews	Schwegler	Young

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No.

2335) entitled "An act to amend chapter three hundred and thirty-four of the Laws of nineteen hundred and one, entitled 'An act in relation to tenement houses in cities of the first class.'" (Int. No. 1692.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sheridan
Apgar	Donnelly	Haines	Merritt	Shuttleworth
Averill	Dowling	Hamilton	Miller	Sinclair
Baldwin	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Staley
Bohan	Eggleston	Harper	Morgan	Stern
Boshart	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Waddell
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jacobs	Parker	Walters
Chamberlain	Francis	Keller	Patton	Waters
Cole	Frisbie	Lansing	Phillips	Weber
Collins	Ganly	Lee	Prentice	Weimert
Colné	Garbe	Lewis	Prince	Wells
Conklin	Geoghagan	Loos	Ralston	Whitley
Conrady	Glore	Lowe	Reece	Whitney F G
Croak	Gluck	Lupton	Robinson	Whitney G H
Cunningham	Glynn	Maher	Rogers	Winters
Cuvillier	Goldberg	Mallon	Schmidt	Wood
De Groot	Green	Marlatt	Schoeneck	Yale
Dobbs	Gunderman	Matthews	Schwegler	Young

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2521) entitled "An act to amend the Greater New York charter, in relation to telegraph linemen in the fire department." (Int. No. 735.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sheridan
Apgar	Donnelly	Haines	Merritt	Shuttleworth
Averill	Dowling	Hamilton	Miller	Sinclair
Baldwin	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Staley
Bohan	Eggleston	Harper	Morgan	Stern
Boshart	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Surplless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Waddell
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jacobs	Parker	Walters
Chamberlain	Francis	Keller	Patton	Waters
Cole	Frisbie	Lansing	Philips	Weber
Collins	Ganly	Lee	Prentice	Weimert
Colné	Garbe	Lewis	Prince	Wells
Conklin	Geoghagan	Loos	Ralston	Whitley
Conrady	Glore	Lowe	Reece	Whitney F G
Croak	Gluck	Lupton	Robinson	Whitney G H
Cunningham	Glynn	Maher	Rogers	Winters
Cuvillier	Goldberg	Mallor	Schmidt	Wood
De Groot	Green	Marlatt	Schoeneck	Yale
Dobbs	Gunderman	Matthews	Schwegler	Young

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2387) entitled "An act to amend the Labor Law, relative to the employment of women and minors." (Int. No. 1367.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sheridan
Apgar	Donnelly	Haines	Merritt	Shuttleworth
Averill	Dowling	Hamilton	Miller	Sinclair
Baldwin	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Stern
Bohan	Eggleston	Harper	Morgan	Stratton
Boshart	Eichhorn	Harr.s	Murphy C F	Surpluss
Brady	Farrell	Hart	Murphy G W	Todd
Brough	Ferguson	Hoey	Nevins	Volk
Brown	Feth	Holmes	Northrup	Voss
Buckley	Filley	Hubbs	Norton	Waddell
Burhyte	Flanagan	Hurd	O'Brian	Wainwright
Burns	Foley J A	Huth	Oliver	Walters
Burzynski	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Frisbie	Lansing	Phillips	Weimert
Collins	Ganly	Lee	Prentice	Wells
Colné	Garbe	Lewis	Prince	Whitley
Conklin	Geoghagan	Loos	Ralston	Whitney F G
Conrady	Glore	Lowe	Reece	Whitney G H
Croak	Gluck	Lupton	Robinson	Winters
Cunningham	Glynn	Maher	Rogers	Wood
Cuvillier	Goldberg	Mallon	Schmidt	Yale
De Groot	Green	Marlatt	Schoeneck	Young
Dobbs	Gunderman	Matthews	Schwepler	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2544) entitled "An act to amend chapter one hundred and thirty-one of the Laws of nineteen hundred and seven, entitled 'An act to authorize the city of Utica to borrow money and issue bonds for the purpose of completing the changing of the channel of the Mohawk river between said city and the town of Deerfield, and to authorize the Superintendent of Public Works to accept said new channel,' relative to the rate of interest to be paid on bonds." (Int. No. 1734.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sheridan
Apgar	Donnelly	Haines	Merritt	Shuttleworth
Averill	Dowling	Hamilton	Miller	Sinclair
Baldwin	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Staley
Bohan	Eggleston	Harper	Morgan	Stern
Boshart	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Waddell
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jacobs	Parker	Walters
Chamberlain	Francis	Keller	Patton	Waters
Cole	Frisbie	Lansing	Phillips	Weber
Collins	Ganly	Lee	Prentice	Weimert
Colné	Garbe	Lewis	Prince	Wells
Conklin	Geoghagan	Loos	Ralston	Whitley
Conrady	Glore	Lowe	Reece	Whitney F G
Croak	Gluck	Lupton	Robinson	Whitney G H
Cunningham	Glynn	Maher	Rogers	Winters
Cuvillier	Goldberg	Mallon	Schmidt	Wood
De Groot	Green	Marlatt	Schoeneck	Yale
Dobbs	Gunderman	Matthews	Schwegler	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2252) entitled "An act to provide for repairing the docks owned by the State at Babylon and Fire Island, and making an appropriation therefor." (Int. No. 1118.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sheridan
Apgar	Donnelly	Haines	Merritt	Shuttleworth
Averill	Dowling	Hamilton	Miller	Sinclair
Baldwin	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Staley
Bohan	Eggleston	Harper	Morgan	Stern
Boshart	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Waddell
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jacobs	Parker	Walters
Chamberlain	Francis	Keller	Patton	Waters
Cole	Frisbie	Lansing	Phillips	Weber
Collins	Ganly	Lee	Prentice	Weimert
Colné	Garbe	Lewis	Prince	Wells
Conklin	Geoghagan	Loos	Ralston	Whitley
Conrady	Glore	Lowe	Reece	Whitney F G
Croak	Gluck	Lupton	Robinson	Whitney G H
Cunningham	Glynn	Maher	Rogers	Winters
Cuvillier	Goldberg	Mallon	Schmidt	Wood
De Groot	Green	Marlatt	Schoeneck	Yale
Dobbs	Gunderman	Matthews	Schwegler	Young

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2350) entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain taxes for the year nineteen hundred and six affecting property situate in the borough of Manhattan in the city of New York now belonging to and upon which is erected the building of the Young Women's Hebrew Association of the city of New York." (Int. No. 1703.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sheridan
Apgar	Donnelly	Harper	Merritt	Shuttleworth
Averill	Dowling	Hamilton	Miller	Sinclair
Baldwin	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Staley
Bohan	Eggleston	Harper	Morgan	Stern
Boshart	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Waddell
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jacobs	Parker	Walters
Chamberlain	Francis	Keller	Patton	Waters
Cole	Frisbie	Lansing	Phillips	Weber
Collins	Ganly	Lee	Prentice	Weimert
Colné	Garbe	Lewis	Prince	Wells
Conklin	Geoghagan	Loos	Ralston	Whitley
Conrady	Glore	Lowe	Reece	Whitney F G
Croak	Gluck	Lupton	Robinson	Whitney G H
Cunningham	Glynn	Maher	Rogers	Winters
Cuvillier	Goldberg.	Mallon	Schmidt	Wood
De Groot	Green	Marlatt	Schoeneck	Yale
Dobbs	Gunderman	Matthews	Schwegler	Young

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2547) entitled "An act to amend the Liquor Tax Law, in relation to State Commissioner of Excise; Deputy Commissioners; Special Deputy Commissioners; and local option." (Int. No. 1610.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 2

Those who voted in the affirmative were:

Allen	Donnelly	Haines	McCue	Schwegler
Apgar	Dowling	Hamilton	Merritt	Sheridan
Averill	Draper	Hammond	Miller	Shuttleworth
Baldwin	Dudley	Hamn	Mills	Sinclair

Baumann	Duell	Harawitz	Mooney	Smith A E
Blue	Eggleston	Harper	Moreland	Smith C
Bohan	Eichhorn	Harris	Morgan	Staley
Boshart	Farrell	Hart	Murphy C F	Stern
Brady	Ferguson	Hoev	Murphy G W	Surpless
Brough	Feth	Holmes	Nevins	Todd
Brown	Filley	Hubbs	Northrup	Voss
Buckley	Flanagan	Hurd	Norton	Waddell
Burhyte	Foley J A	Huth	O'Brian	Wainwright
Burns	Fowler	Jacobs	Oliver	Walters
Burzynski	Francis	Keller	Parker	Waters
Chamberlain	Frisbie	Lansing	Patton	Weber
Cole	Ganly	Lee	Phillips	Weimert
Collins	Garbe	Lewis	Prentice	Wells
Colné	Geoghagan	Loos	Prince	Whitley
Conklin	Glore	Lowe	Ralston	Whitney F G
Conrady	Gluck	Lupton	Reece	Whitney G H
Croak	Glynn	Maher	Robinson	Winters
Cunningham	Goldberg	Mallon	Rogers	Wood
De Groot	Green	Marlatt	Schmidt	Yale
Dobbs	Gunderman	Matthews	Schoeneck	Young
Dominy	Hackett			

Those who voted in the negative were :

uvillier

Stratton

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill and, as amended, have again passed the same, and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the Senate bill (No. 619) entitled "An act to regulate transfers of goods in bulk." (Rec. No. 266.)

Said bill having been announced for third reading, Mr. Stratton moved that said bill be recommitted to the committee on general laws, with instructions to report the same forthwith amended as follows :

Amend title to read "An act to repeal chapter five hundred and twenty-eight of the laws of nineteen hundred and two and chapter five hundred and sixty-nine of the laws of nineteen hundred and four."

Strike out sections 1, 2 and 3.

On page 2, line 16, strike out " 4 " and insert " 1 ".

Mr. Harawitz moved to recommit said bill to the committee on rules.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

A message from the Governor, by the hand of his secretary, was received and read, in words following :

## STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, *May 1, 1907.*

The recent decision of the Court of Appeals makes it imperative that provision should be made for a constitutional apportionment of Senators and members of Assembly.

The Constitution adopted in 1894 itself established the districts from which members of the Legislature should be chosen. It further provided that an enumeration of the inhabitants of the State should be made in the year 1905 and that "the said districts be so altered by the Legislature at the first regular session after the return of every enumeration, that each Senate district shall contain as nearly as may be an equal number of inhabitants, excluding aliens, and be in as compact form as practicable, and shall remain unaltered until the return of another enumeration," and other requirements of such new apportionment were defined.

At the last session of the Legislature an act was passed (Laws of 1906, chapter 431) dividing the State into fifty-one Senate districts and also providing the number of Assemblymen to be elected in each county. An enumeration of the inhabitants of the State had been taken in accordance with the Constitution before this enactment. The validity of the apportionment act of 1906 was challenged upon the ground that the constitutional provisions had been violated, and that its defects were so grave that the entire apportionment should be set aside. The Court of Appeals has sustained this claim and has declared the apportionment act "wholly unconstitutional and void."

Under these circumstances it is the obvious duty of the Legislature to provide for a new and constitutional apportionment.

It may be suggested that, as the members of the present Legislature were elected largely from districts which were defined by the invalid apportionment, this Legislature can not legally or with propriety pass a new apportionment act. So far as the legal question is concerned, if it be admitted that the present Legislature cannot, by reason of a defect in the manner in which it was constituted, pass a valid apportionment act, it would seem to follow that it has no competency to legislate on any subject. For it cannot be said to be a valid Legislature for the purpose of passing statutes affecting the general interests of the people, and in making appropriations of moneys received from the people and not be a valid Legislature for the purpose of performing the constitutional duty of making an equitable apportionment.

It is needless to say that the greatest confusion would result from the decision of the Court of Appeals if the corollary were that the present Legislature has no effective existence, and is without authority to exercise the legislative power of the State.

This was foreseen by the Court of Appeals, and the matter is clearly discussed in the opinion of Chief Judge Cullen. With this opinion six of the seven judges of the court concurred. Chief Judge Cullen summed up his conclusions as follows:

“As already said, the Senate and Assembly elected under the apportionment act, and actually assembled, constitute in any aspect a *de facto* Legislature. As a *de facto* body, each House has, under the constitution, not only the exclusive power but the exclusive right to judge of the title of any of its members to a seat therein. Whoever either House receives as its legally elected member and entitled to a seat, becomes thereby a *de jure* member of that House, even though the courts were such a question triable before them, might be of a different opinion. It follows, therefore, that not only is the present Legislature a valid Legislature, but that each member thereof, so long as the particular house to which he belongs does not oust him, is, as to all the world, not only a *de facto* but a *de jure* member, and he is entitled to all the privileges of a member, the exemption of his person, the right to his salary and the like, and his title to office cannot be challenged before any tribunal except the house itself. Thus there can be no vacancy in any particular district which the Governor or other officer can call upon the electors to fill, unless the House ousts the member and declares him not entitled to his seat. All this, however, does not show that our decision is a mere *brutum fulmen* and of no practical effect. While the court can not pass on the title of any present member of the Legislature, it can control the action of administrative officers in the conduct of the next election that takes place. If the present Legislature should pass a new apportionment bill in compliance with the provisions of the constitution, the next general election at which members of either house are to be elected will be held under the new statute. If the Legislature fails to discharge this duty, then the election must be held in accordance with the apportionment under the constitution of 1895. In other words, while the courts cannot interfere with the present Legislature, they can compel future elections to be held in compliance with the constitution.”

This is a clear statement of the power of the present Legislature to pass a valid apportionment act, under which “the next general election at which members of either House are to be elected, will be held.” And it is further pointed out that the exercise of this power is a duty on the failure to discharge which it would be necessary to hold elections in accordance with the apportionment contained in the Constitution of 1895.

It would be an obvious injustice, in view of the changes to the population of the old districts, for another Legislature to be

elected upon the basis of an apportionment now so widely at variance with the demands of fair representation of the electors of the State. Such a course could find excuse only in necessity. But, as already stated, if the Legislature assumes to exercise the prerogatives of a valid Legislature, it should also perform the duty imposed upon those who exercise the legislative power of the State of providing for a fair representation of the electors of the State in accordance with the intent of the Constitution.

In making a new apportionment the Legislature now has the advantage of the guidance of the court of last resort in the construction of the constitutional provisions. With reference to the apportionment act of 1906, the court mentions specifically two districts where the disregard of the constitutional provisions was so clear that the whole apportionment was rendered invalid. The court expressed no opinion as to the other districts, contenting itself with a definition of the principles of apportionment established by the Constitution.

The Constitution contains certain mandatory provisions and others which leave opportunity for the exercise of legislative discretion. It is, of course, impossible to divide the State with mathematical exactness. The recognition, in the manner required by the Constitution, of county, town and block lines, prevents an apportionment which would result in absolute equality of representation. But as Judge Chase says: "As the discretion of the Legislature relating to the relative number of inhabitants in Senate districts arises from necessity, it should cease where the necessity for discretion ends." The history of constitutional changes in regard to legislative apportionment, as the learned judge points out, "shows a gradual withdrawal from the Legislature of discretionary power and a continued adding" of constitutional limitations. The conclusion is inevitable, "That the minimum of discretion necessary to preserve county and other lines and to give reasonable consideration to the other provisions of the Constitution is left to the Legislature.

"The matter is not one of personal preference or of individual interests, nor does it rest in large political discretion. It was wholly to eliminate such considerations that the people, in adopting the new Constitution, so strictly limited the legislative power, As the Court of Appeals said in *Matter of Smith v. Board of Supervisors* (148 N. Y. 187):

"The evil sought to be remedied by the new constitution was to prevent those gross discrepancies in apportionment and representation that had long been a public scandal and a reproach to the good name of the State."

The people are entitled to have a perfectly fair apportionment in accordance with the letter and the spirit of the Constitution. No considerations are paramount to this just requirement.

I therefore recommend to the Legislature the passage of a new apportionment act which will redistrict the State so as to provide such equality of representation as can be had under the constitutional provisions and of such a character as to be of unquestioned validity and commend itself to the intelligent judgment of the people.

CHARLES E. HUGHES.

A message from the Governor, by the hand of his secretary, was received and read, in words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER.

May 1, 1907.

*To the Assembly:*

I return herewith, without my approval, Assembly bill No. 1896, entitled: "An act to amend the Tax Law, in relation to real property exempt by law from taxation, and the publishing of a list of such exempt property."

The act which it is proposed to amend provides, among other things, for the publication of tabulated statements of exempt property in cities in official newspaper or newspapers thereof at least once a week for three successive weeks.

The proposed amendment provides for the publication of the tabulated statements of exempt property in each county outside a city or cities at least once a week for three successive weeks, in two newspapers published in such county designated by the board of supervisors to publish the session laws. I do not see how any public benefit would accrue from this annual publication, which would justify the additional public expense occasioned thereby. The lists of exempt property are readily accessible, and public policy does not require their publication in newspapers.

CHARLES E. HUGHES.

On motion of Mr. F. G. Whitney, said message, together with said bill, was ordered laid upon the table.

The Senate returned the Assembly bill (No. 724, Senate reprint No. 1267, Int. No. 235) entitled "An act to repeal section thirteen hundred and nine of the Code of Civil Procedure, in relation to an undertaking given upon appeal," with a message that they

have concurred in the passage of the same, with the following amendments:

On page 1, line 1 of title, strike out "amend" and insert in lieu thereof "repeal section thirteen hundred and nine of".

Same page and line, strike out "maintain".

Same page, on line 2 of title, strike out "ing an action upon".

Same page, line 2, strike out "amended to read as follows" and insert in lieu thereof "repealed".

Same page, strike all of lines 3, 4, 5, 6, 7, 8, 9.

On page 2, strike out all of lines 1, 2, 3, 4, 5, 6, 7, 8, 9.

Mr. Goldberg moved to concur in the Senate amendments.

Objection being made to the immediate consideration of said message, ordered that said bill and message be referred to the committee on codes.

The Senate returned the Assembly bill (No. 1727, Senate reprint No. 1413, Int. No. 848) entitled "An act to amend the Greater New York charter, relating to the office of coroner," with a message that they have concurred in the passage of the same, with the following amendment:

On page 2, line 15, after the word "Richmond" strike out the word "two" and insert in lieu thereof "one":

Mr. Weber moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Apgar	Donnelly	Haines	Merritt	Sinclair
Averill	Dowling	Hamilton	Miller	Smith A E
Baldwin	Draper	Hammond	Mills	Smith C
Baumann	Dudley	Hamn	Mooney	Staley
Blue	Duell	Harawitz	Moreland	Stern
Bohan	Eggleston	Harper	Morgan	Stratton
Boshart	Eichhorn	Harris	Murphy C F	Surpless
Brady	Farrell	Hart	Murphy G W	Todd
Brough	Ferguson	Hoey	Nevins	Volk
Brown	Feth	Holmes	Northrup	Voss

Buckley	Filley	Hubbs	Norton	Waddell
Burhyte	Flanagan	Hurd	O'Brian	Wainwright
Burns	Foley J A	Huth	Oliver	Walters
Burzynski	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Frisbie	Lansing	Phillips	Weimert
Collins	Ganly	Lee	Prince	Wells
Colné	Garbe	Lewis	Ralston	Whitley
Conklin	Geoghagan	Loos	Reece	Whitney F G
Conrady	Glore	Lowe	Robinson	Whitney G H
Croak	Gluck	Lupton	Rogers	Winters
Cunningham	Glynn	Maher	Schmidt	Wood
Cuvillier	Goldberg	Mallon	Schoeneck	Yale
De Groot	Green	Marlatt	Schwegler	Young
Dobbs	Gunderman	Matthews	Sheridan	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the Assembly bill (No. 1389, Senate reprint No. 1380, Int. No. 238) entitled "An act to amend the Greater New York charter, relative to punishment of persons causing fire in stovepipes, chimney or flue," with a message that they have concurred in the passage of the same, with the following amendments:

On page 2, line 15, after the word "the" insert "fire department shall determine the responsibility therefor, as between the".

Same page and line, strike out the bracket after the word "the" and before the word "owner".

Same page, line 16, after the word "appertains" insert "and whoever may be so found responsible".

Mr. Harawitz moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Apgar	Donnelly	Haines	Merritt	Sinclair
Averill	Dowling	Hamilton	Miller	Smith A E
Baldwin	Draper	Hammond	Mills	Smith C

Baumann	Dudley	Hamn	Mooney	Staley
Blue	Duell	Harawitz	Moreland	Stern
Bohan	Eggleston	Harper	Morgan	Stratton
Boshart	Eichhorn	Harris	Murphy C F	Surpless
Brady	Farrell	Hart	Murphy G W	Todd
Brough	Ferguson	Hoev	Nevins	Volk
Brown	Feth	Holmes	Northrup	Voss
Buckley	Filley	Hubbs	Norton	Waddell
Burhyte	Flanagan	Hurd	O'Brian	Wainwright
Burns	Foley J A	Huth	Oliver	Walters
Burzynski	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Frisbie	Lansing	Phillips	Weimert
Collins	Ganly	Lee	Prince	Wells
Colné	Garbe	Lewis	Ralston	Whitley
Conklin	Geoghagan	Loos	Reece	Whitney F G
Conrady	Glore	Lowe	Robinson	Whitney G H
Croak	Gluck	Lupton	Rogers	Winters
Cunningham	Glynn	Maher	Schmidt	Wood
Cuvillier	Goldberg	Mallon	Schoeneck	Yale
De Groot	Green	Marlatt	Schwegler	Young
Dobbs	Gunderman	Matthews	Sheridan	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1697, Senate reprint No. 1381, Int. No. 1061) entitled "An act to amend chapter five hundred and ninety-six of the Laws of eighteen hundred and ninety-eight, entitled 'An act to amend chapter one hundred and sixty-three of the Laws of eighteen hundred and seventy-three, entitled "An act to organize and establish a police department for the city of Yonkers," ' generally," with a message that they have concurred in the passage of the same, with the following amendments:

On page 6, strike out all of line 8, and insert in lieu thereof the following: "Section 3. Nothing contained herein shall be taken to conflict with or supersede any provision of chapter four hundred and seventy-three of the Laws of nineteen hundred and six.

"§ 4. This act shall take effect immediately."

Mr. Haines moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sheridan
Apgar	Donnelly	Haines	Merritt	Shuttleworth
Averill	Dowling	Hamilton	Miller	Sinclair
Baldwin	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Staley
Bohan	Eggleston	Harper	Morgan	Stern
Boshart	Richhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Waddell
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jacobs	Parker	Walters
Chamberlain	Francis	Keller	Patton	Waters
Cole	Frisbie	Lansing	Phillips	Weber
Collins	Ganly	Lee	Prentice	Weimert
Colne	Garbe	Lewis	Prince	Wells
Conklin	Geoghagan	Loos	Ralston	Whitley
Conrady	Glore	Lowe	Reece	Whitney F G
Croak	Gluck	Lupton	Robinson	Whitney G H
Cunningham	Glynn	Maher	Rogers	Winters
Cuvillier	Goldberg	Mallon	Schmidt	Wood
De Groot	Green	Marlatt	Schoeneck	Yale
Dobbs	Gunderman	Matthews	Schwegler	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 836, Senate reprint No. 1335, Int. No. 771) entitled "An act making appropriations for the State Charitable Institution, the New York State School for the Blind, the Elmira Reformatory, and the Eastern New York Reformatory," with a message that they have concurred in the passage of the same, with the following amendments:

On page 3, line 1, strike out "thirty-five" and insert in lieu thereof "thirty-six". Same page, line 15, strike out "forty" and insert in lieu thereof "thirty-seven". On same page and line, strike out "(\$40,000)" and insert in lieu thereof "(\$37,000)".

On page 4, strike out all of lines 23 and 24.

On page 5, line 14, strike out "vailable" and insert in lieu thereof "available".

On page 7, between lines 18 and 19, insert "For renewals to boiler plant, one thousand dollars (\$1,000)".

Mr. Moreland moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Apgar	Donnelly	Haines	Merritt	Sinclair
Averill	Dowling	Hamilton	Miller	Smith A E
Baldwin	Draper	Hammond	Mills	Smith C
Baumann	Dudley	Hamn	Mooney	Staley
Blue	Duell	Harawitz	Moreland	Stern
Bohan	Eggleston	Harper	Morgan	Stratton
Boshart	Eichhorn	Harris	Murphy C F	Surpless
Brady	Farrell	Hart	Murphy G W	Todd
Brough	Ferguson	Hoey	Nevins	Volk
Brown	Feth	Holmes	Northrup	Voss
Buckley	Filley	Hubbs	Norton	Waddell
Burhyte	Flanagan	Hurd	O'Brian	Wainwright
Burns	Foley J A	Huth	Oliver	Walters
Burzynski	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Frisbie	Lansing	Phillips	Weimert
Collins	Ganly	Lee	Prince	Wells
Colné	Garbe	Lewis	Ralston	Whitley
Conklin	Geoghagan	Loos	Reece	Whitney F G
Conrady	Glore	Lowe	Robinson	Whitney G H
Croak	Gluck	Lupton	Rogers	Winters
Cunningham	Glynn	Maher	Schmidt	Wood
Cuvillier	Goldberg	Mallon	Schoeneck	Yale
De Groot	Green	Marlatt	Schwegler	Young
Dobbs	Gunderman	Matthews	Sheridan	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1521, Senate re-print No. 1386, Int. No. 1062) entitled "An act to amend title ten of chapter six hundred and thirty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Yonkers,' in relation to the care of sick and disabled poor in hospitals," with a message that they have concurred in the passage of the same, with the following amendments:

On page 2, after line 7, insert the following:

“Section 2. Nothing contained herein shall be taken to conflict with or supersede any provision of chapter four hundred and seventy-three of the Laws of nineteen hundred and six.

“§ 3. This act shall take effect immediately.”

Same page, strike out all of line eight.

Mr. Haines moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Apgar	Donnelly	Haines	Merritt	Sinclair
Averill	Dowling	Hamilton	Miller	Smith A E
Baldwin	Draper	Hammond	Mills	Smith C
Baumann	Dudley	Hamn	Mooney	Staley
Blue	Duell	Harawitz	Moreland	Stern
Bohan	Eggleston	Harper	Morgan	Stratton
Boshart	Eichhorn	Harris	Murphy C F	Surpless
Brady	Farrell	Hart	Murphy G W	Todd
Brough	Ferguson	Hoey	Nevins	Volk
Brown	Feth	Holmes	Northrup	Voss
Buckley	Filley	Hubbs	Norton	Waddell
Burhyte	Flanagan	Hurd	O'Brian	Wainwright
Burns	Foley J A	Huth	Oliver	Walters
Burzynski	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Frisbie	Lansing	Phillips	Weimert
Collins	Ganly	Lee	Prince	Wells
Colné	Garbe	Lewis	Ralston	Whitley
Conklin	Geoghagan	Loos	Reece	Whitney F G
Conrady	Glore	Lowe	Robinson	Whitney G H
Croak	Gluck	Lupton	Rogers	Winters
Cunningham	Glynn	Maher	Schmidt	Wood
Cuvillier	Goldberg	Mallon	Schoeneck	Yale
De Groot	Green	Marlatt	Schwegler	Young
Dobbs	Gunderman	Matthews	Sheridan	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1041, Senate reprint No. 1384, Int. No. 704) entitled “An act to amend chapter

six hundred and thirty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Yonkers,' relating to the expense for street improvement," with a message that they have concurred in the passage of the same, with the following amendments:

On page 3, strike out line 27, and insert in lieu thereof the following, "Section 3. Nothing contained herein shall be taken to conflict with or supersede any provision of chapter four hundred and seventy-three of the laws of nineteen hundred and six.

"§ 4. This act shall take effect immediately."

Mr. Haines moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sheridan
Apgar	Donnelly	Haines	Merritt	Shuttleworth
Averill	Dowling	Hamilton	Miller	Sinclair
Baldwin	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Staley
Bohan	Eggleston	Harper	Morgan	Stern
Boshart	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Waddell
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jacobs	Parker	Walters
Chamberlain	Francis	Keller	Patton	Waters
Cole	Frisbie	Lansing	Phillips	Weber
Collins	Ganly	Lee	Prentice	Weimert
Colné	Garbe	Lewis	Prince	Wells
Conklin	Geoghagan	Loos	Ralston	Whitley
Conrady	Glore	Lowe	Reece	Whitney F G
Croak	Gluck	Lupton	Robinson	Whitney G H
Cunningham	Glynn	Maher	Rogers	Winters
Cuvillier	Goldberg	Mallon	Schmidt	Wood
De Groot	Green	Marlatt	Schoeneck	Yale
Dobbs	Gunderman	Matthews	Schwegler	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2096, Senate reprint No. 1416, Int. No. 1243) entitled "An act to regulate the practice of medicine, and to repeal article eight of chapter six hundred and sixty-one of the Laws of eighteen hundred and ninety-three and acts amendatory thereof," with a message that they have concurred in the passage of the same, with the following amendments:

On page 17, line 3, after "who" insert "shall present to the board of regents satisfactory evidence that he".

Same page and line, before "school" insert "regularly conducted". Same page, line 15, strike out "a knife" and insert in lieu thereof "the use of instruments".

Mr. G. H. Whitney moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sheridan
Apgar	Donnelly	Haines	Merritt	Shuttleworth
Averill	Dowling	Hamilton	Miller	Sinclair
Baldwin	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Staley
Bohan	Eggleston	Harper	Morgan	Stern
Boshart	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Surplless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Waddell
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jacobs	Parker	Walters
Chamberlain	Francis	Keller	Patton	Waters
Cole	Fristie	Lansing	Phillips	Weber
Collins	Ganly	Lee	Prentice	Weimert
Colné	Garbe	Lewis	Prince	Wells

Conklin	Geoghagan	Loos	Ralston	Whitley
Conrady	Glore	Lowe	Reece	Whitney F G
Croak	Gluck	Lupton	Robinson	Whitney G H
Cunningham	Glynn	Maher	Rogers	Winters
Cuvillier	Goldberg	Mallon	Schmidt	Wood
De Groot	Green	Marlatt	Schoeneck	Yale
Dobbs	Gunderman	Matthews	Schwegler	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1562, Senate reprint No. 1418, Int. No. 1269) entitled "An act to amend the Revised Statutes, in relation to references in insolvent debtors' proceedings," with a message that they have concurred in the passage of the same, with the following amendments:

Page 1, line 8, after "of" insert "any".

Same page and line, after "or" strike out "any".

Same page and line, after "demands" insert a comma. Same page, line 9, strike out "or claims of such estate".

Mr. Maher moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sheridan
Apgar	Donnelly	Haines	Merritt	Shuttleworth
Averill	Dowling	Hamilton	Miller	Sinclair
Baldwin	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Moo-ey	Smith C
Blue	Duell	Harawitz	Moreland	Staley
Bohan	Eggleston	Harper	Morgan	Stern
Boshart	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Suppess
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Wadde l
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jacobs	Parker	Walters
Chamberlain	Francis	Keller	Patton	Waters
Cole	Frisbie	Lansing	Pallips	Wber
Collins	Ganly	Lee	Prentice	Weime t

Colné	Garbe	Lewis	Prince	Wells
Conklin	Geoghagan	Loos	Ralston	Whitley
Conrady	Glore	Lowe	Reece	Whitney F G
Croak	Gluck	Lupton	Robinson	Whitney G H
Cunningham	Glynn	Maher	Rogers	Winters
Cuvillier	Goldberg	Mallon	Schmidt	Wood
De Groot	Green	Marlatt	Schoeneck	Yale
Dobbs	Gunderman	Matthews	Schwegler	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2311, Senate re-print No. 1417, Int. No. 1561) entitled "An act to amend the Greater New York charter, relative to the classification of criminals and misdemeanants," with a message that they have concurred in the passage of the same, with the following amendments:

On page 6, line 24, insert after the first word "board" "and such persons are hereby declared to be peace officers within the provisions of section one hundred and fifty-four of the code of criminal procedure." Strike out the period after said first word "board", page 6, line 24.

Mr. C. F. Murphy moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sheridan
Apgar	Donnelly	Haines	Merritt	Shuttleworth
Averill	Dowling	Hamilton	Miller	Sinclair
Baldwin	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Staley
Bohan	Eggleston	Harper	Morgan	Stern
Boshart	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Waddell
Burns	Foley J A	Huth	Oliver	Wainwright

Burzynski	Fowler	Jacobs	Parker	Walters
Chamberlain	Francis	Keller	Patton	Waters
Cole	Frisbie	Lansing	Phillips	Weber
Collins	Ganly	Lee	Prentice	Weimert
Colné	Garbe	Lewis	Prince	Wells
Conklin	Geoghagan	Loos	Ralston	Whitley
Conrady	Glore	Lowe	Reece	Whitney F G
Croak	Gluck	Lupton	Robinson	Whitney G H
Cunningham	Glynn	Maher	Rogers	Winters
Cuvillier	Goldberg	Mallon	Schmidt	Wood
De Groot	Green	Marlatt	Schoeneck	Yale
Dobbs	Gunderman	Matthews	Schwegler	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 2122, Senate reprint No. 1389, Int. No. 1485) entitled "An act to amend chapter thirty-six of the Laws of eighteen hundred and seventy-three, entitled 'An act to provide for the supply of water in the city of Yonkers,' relative to the rate of interest of water bonds," with a message that they have concurred in the passage of the same, with the following amendments:

On page 2, strike out all of line 26, and insert in lieu thereof the following: "Section 2. Nothing contained herein shall be taken to conflict with or supercede any provision of chapter four hundred and seventy-three of the Laws of nineteen hundred and six."

"§ 3. This act shall take effect immediately."

Mr. Haines moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sheridan
Apgar	Donnelly	Haines	Merritt	Shuttleworth
Averill	Dowling	Hamilton	Miller	Sinclair
Baldwin	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Staley
Bohan	Eggleston	Harper	Morgan	Stern

Boshart	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Waddell
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jacobs	Parker	Walters
Chamberlain	Francis	Keller	Patton	Waters
Cole	Frisbie	Lansing	Phillips	Weber
Collins	Ganly	Lee	Prentice	Weimert
Colné	Garbe	Lewis	Prince	Wells
Conklin	Geoghagan	Loos	Ralston	Whitley
Conrady	Glore	Lowe	Reece	Whitney F G
Croak	Gluck	Lupton	Robinson	Whitney G H
Cunningham	Glynn	Maher	Rogers	Winters
Cuvillier	Goldberg	Mallon	Schmidt	Wood
De Groot	Green	Marlatt	Schoeneck	Ya e
Dobbs	Gunderman	Matthews	Schwegler	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1788, Senate reprint No. 1388, Int. No. 1408) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for trout in Livingston county," with a message that they have concurred in the passage of the same, with the following amendments:

On page 2, after "the" at the end of line five, insert "county".

Page 2, line 6, enclose in brackets "counties".

Same page, on line 6, enclose in brackets "Saratoga".

Same page and line, enclose in brackets "Warren and Washington". At the end of line 7, enclose in brackets the period (.). At the end of line 7, insert a semicolon (;) and the following new matter: "In the counties of Clinton, Essex, Franklin, Fulton, Hamilton, Herkimer, Saratoga, St. Lawrence, Warren and Washington, and Lewis except in that portion lying west of the Utica and Black River Railroad Company from the fifteenth day of September to the thirtieth day of April, both inclusive."

Mr. Nevins moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sheridan
Apgar	Donnelly	Haines	Merritt	Shuttleworth
Averill	Dowling	Hamilton	Miller	Sinclair
Baldwin	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Staley
Bohan	Eggleston	Harper	Morgan	Stern
Boshart	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Waddell
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jacobs	Parker	Walters
Chamberlain	Francis	Keller	Patton	Waters
Cole	Frisbie	Lansing	Phillips	Weber
Collins	Ganly	Lee	Prentice	Weimert
Colné	Garbe	Lewis	Prince	Wells
Conklin	Geoghagan	Loos	Ralston	Whitley
Conrady	Glore	Lowe	Reece	Whitney F G
Croak	Gluck	Lupton	Robinson	Whitney G H
Cunningham	Glynn	Maher	Rogers	Winters
Cuvillier	Goldberg	Mallon	Schmidt	Wood
De Groot	Green	Marlatt	Schoeneck	Yale
Dobbs	Gunderman	Matthews	Schwegler	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

A message was received from the Senate, in the words following:

IN SENATE, *April 30, 1907.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 239, Senate reprint No. 1344, Rec. No. 12) entitled "An act to amend chapter two hundred and ninety-four of the laws of nineteen hundred and four, entitled 'An act to make the office of sheriff of Orleans county a salaried one, in part, and to regulate the management thereof,' in relation to salary of under sheriff".

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Franchot, and by unanimous consent, the same was amended as follows:

Page 2, line 6, insert brackets before the word "the"; same page, line 7, strike out brackets.

Same line, strike out the word "nine".

Same page, line 9, insert the words "said under sheriff and".

Said bill, as amended, was reprinted, re-engrossed and, having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

LAFAYETTE B. GLEASON,

*Clerk.*

Said bill having been announced, Mr. Draper moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Apgar	Donnelly	Haines	Merritt	Sinclair
Averill	Dowling	Hamilton	Miller	Smith A E
Baldwin	Draper	Hammond	Mills	Smith C
Baumann	Dudley	Hamn	Mooney	Staley
Blue	Duell	Harawitz	Moreland	Stern
Bohan	Eggleston	Harper	Morgan	Stratton
Boshart	Eichhorn	Harris	Murphy C F	Surpless
Brady	Farrell	Hart	Murphy G W	Todd
Brough	Ferguson	Hoey	Nevins	Volk
Brown	Feth	Holmes	Northrup	Voss
Buckley	Filley	Hubbs	Norton	Waddell
Burhyte	Flanagan	Hurd	O'Brian	Wainwright
Burns	Foley J A	Huth	Oliver	Walters
Burzynski	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Webber
Cole	Frisbie	Lansing	Phillips	Weimert
Collins	Ganly	Lee	Prince	Wells
Colné	Garbe	Lewis	Ralston	Whitley
Conklin	Geoghagan	Loos	Reece	Whitney F G
Conrady	Glore	Lowe	Robinson	Whitney G H
Croak	Gluck	Lupton	Rogers	Winters
Cunningham	Glynn	Maher	Schmidt	Wood
Cuvillier	Goldberg	Mallon	Schoeneck	Yale
De Groot	Green	Marlatt	Schwegler	Young
Dobbs	Gunderman	Matthews	Sheridan	

Said bill, as amended, was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Sheridan
Apgar	Donnelly	Haines	Merritt	Shuttleworth
Averill	Dowling	Hamilton	Miller	Sinclair
Baldwin	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Staley
Bohan	Eggleston	Harper	Morgan	Stern
Boshart	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brien	Waddell
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jacobs	Parker	Walters
Chamberlain	Francis	Keller	Patton	Waters
Cole	Frisbie	Lansing	Phillips	Weber
Collins	Ganly	Lee	Prentice	Weimert
Colné	Garbe	Lewis	Prince	Wells
Conklin	Geoghagan	Loos	Ralston	Whitley
Conrad	Glore	Lowe	Reece	Whitney F G
Croak	Gluck	Lupton	Robinson	Whitney G H
Cunningham	Glynn	Maher	Rogers	Winters
Cuvillier	Goldberg	Mallon	Schmidt	Wood
De Groot	Green	Marlatt	Schoeneck	Yale
Dobbs	Gunderman	Matthews	Schwegler	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same.

Mr. Shuttleworth offered for the consideration of the House a resolution, in the words following:

Resolved, That the Hon. George A. Voss was duly elected and is entitled to hold the seat now occupied by him in the Assembly of the State of New York as a representative of the Ninth Assembly District of the county of Kings, from the 1st day of January, 1907, to the 1st day of January, 1908.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Apgar	Donnelly	Haines	Merritt	Sinclair
Averill	Dowling	Hamilton	Miller	Smith A E
Baldwin	Draper	Hammond	Mills	Smith C
Baumann	Dudley	Hamn	Mooney	Staley
Blue	Duell	Harawitz	Moreland	Stern
Bohan	Eggleston	Harper	Morgan	Stratton
Boshart	Eichhorn	Harris	Murphy C F	Surplless
Brady	Farrell	Hart	Murphy G W	Todd
Brough	Ferguson	Hoey	Nevins	Volk
Brown	Feth	Holmes	Northrup	Voss
Buckley	Filley	Hubbs	Norton	Waddell
Burhyte	Flanagan	Hurd	O'Brian	Wainwright
Burns	Foley J A	Huth	Oliver	Walters
Burzynski	Fowler	Jacobs	Parker	Waters
Chamberlain	Francis	Keller	Patton	Weber
Cole	Frisbie	Lansing	Phillips	Weimert
Collins	Ganly	Lee	Prince	Wells
Colné	Garbe	Lewis	Ralston	Whitley
Conklin	Geoghagan	Loos	Reece	Whitney F G
Conrady	Glore	Lowe	Robinson	Whitney G H
Croak	Gluck	Lupton	Rogers	Winters
Cunningham	Glynn	Maher	Schmidt	Wood
Cuvillier	Goldberg	Mallon	Schoeneck	Yale
De Groot	Green	Marlatt	Schwegler	Young
Dobbs	Gunderman	Matthews	Sheridan	

Mr. Waters offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 870, Senate reprint No. 1221, Int. No. 805), entitled "An act to provide for the paving and improvement of certain streets in the village of Green Island, Albany county, New York, and to provide for the method and means of paying therefor," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. C. F. Murphy offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 199, Senate reprint No. 1024, Int. No. 199), entitled "An act to authorize the board of estimate and apportion-

ment of the city of New York in its discretion to examine into the facts concerning the services rendered by Hector McNeile as clerk to a coroner of Kings county, and to provide for the payment of such claim," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. J. A. Foley offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1379, Int. No. 596), entitled "An act to amend chapter five hundred and fifty-three of the laws of eighteen hundred and ninety-five, entitled 'An act in relation to the supreme court in the first judicial district and the appellate division thereof in the first department,' in relation to salary of clerks to justices," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Moreland offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 661, Int. No. 620), entitled "An act to provide for the taxation for school purposes of the lands owned by the state and situate within the boundaries of school district number seven of the town of Groveland, Livingston county," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *May 1, 1907.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No.

859, Rec. No. 187), entitled "An act to change the name of 'Home of the Friendless of Schenectady' to 'Old Ladies' Home of Schenectady,'" for the purpose of amendment.

By order of the Senate,

LAFAYETTE B. GLEASON,  
*Clerk.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill (No. 2145, Assembly reprint No. 2547, Int. No. 1610) entitled "An act to amend the Liquor Tax Law, in relation to State Commissioner of Excise; deputy commissioners; special deputy commissioners, and local option," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 1285, Int. No. 568) entitled "An act to amend the Greater New York charter, in relation to the powers of the borough presidents and of the president of the board of aldermen," with a message that they concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 2497, Int. No. 1319) entitled "An act to amend chapter eight hundred and thirty-four of the Laws of eighteen hundred and sixty-nine, entitled 'An act to amend the act incorporating the village of Carthage in the county of Jefferson,' generally," with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 661, Int. No. 620) entitled "An act to provide for the taxation for school purposes of the lands owned by the State and situate within the boundaries of school district number seven of the town

of Groveland, Livingston county," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1425, Int. No. 1180) entitled "An act to fix the salary of a district attorney of Suffolk county hereafter elected," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1379, Int. No. 596) entitled "An act to amend chapter five hundred and fifty-three of the Laws of eighteen hundred and ninety-five, entitled 'An act in relation to the Supreme Court in the first judicial district and the Appellate Division thereof in the first department,' in relation to salary of clerks to justices," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 870, Senate reprint No. 1221, Int. No. 805) entitled "An act to provide for the paving and improvement of certain streets in the village of Green Island, Albany county, New York, and to provide for the method and means of paying therefor," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 199, Senate reprint No. 1024, Int. No. 199) entitled "An act to authorize the board of estimate and apportionment of the city of New York in its discretion to examine into the facts concerning the services rendered by Hector McNeile, as clerk to a coroner of Kings county, and to provide for the payment of such claim," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication was received from Hon. Alan C. Fobes, mayor of the city of Syracuse, returning Assembly bill (No. 1459, Int. No. 837) entitled "An act to provide for a department of public instruction in the city of Syracuse," with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. George B. McClellan, mayor of the city of New York, returning Assembly bill (No. 89, Int. No. 89) entitled "An act authorizing the police commissioner of the city of New York to appoint John W. Pinkley, an ex-policeman of the city of New York, who resigned from said police department, November twenty-fourth, eighteen hundred and ninety-seven," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. George B. McClellan, mayor of the city of New York, returning Assembly bill (No. 772, Int. No. 31) entitled "An act to amend chapter four hundred and ten of the Laws of eighteen hundred and eighty-two, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in relation to the salaries of the record clerks and court attendants of the Court of General Sessions of the Peace in and for the county of New York," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. W. H. Baker, mayor of the city of Lockport, returning Assembly bill (No. 1747, Int. No. 1376) entitled "An act to amend chapter one hundred and twenty of the Laws of eighteen hundred and eighty-six, entitled 'An act to revise the charter of the city of Lockport,' generally," with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Charles H. Gaus,

mayor of the city of Albany, returning Assembly bill (No. 1613, Int. No. 1303) entitled "An act to amend chapter three hundred and twelve of the Laws of eighteen hundred and ninety-eight, entitled 'An act increasing the jurisdiction of the City Court of Albany, and relative to a jury list in said court, and regulating the practice therein,' and in relation to costs in said court," with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Charles H. Gauz, mayor of the city of Albany, returning Assembly bill (No. 1519, Int. No. 1131) entitled "An act to amend chapter five hundred and fifty-four of the Laws of eighteen hundred and ninety-nine, entitled 'An act to establish a police pension fund for the city of Albany,' relative to excise money," with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. John H. Coyne, mayor of the city of Yonkers, returning Assembly bill (No. 1014, Int. No. 899) entitled "An act to amend the title to chapter six hundred and sixty-four of the Laws of nineteen hundred and six, entitled 'An act to amend chapter six hundred and eighty-five of the Laws of eighteen hundred and ninety-five, entitled "An act to revise the charter of the city of Yonkers," and the acts amendatory thereof,' relative to the removal of members of the uniformed police and fire departments," with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Attention being called to an error in printing Assembly bill (No. 2520, Int. No. 78), ordered, that said bill be reprinted to correct said errors:

Page 1, line 6, after word "follows" add "eighty cents per thousand cubic feet."

Mr. M. Smith of Dutchess was excused until Monday evening next.

On motion of Mr. Moreland, the House adjourned.

## THURSDAY, MAY 2, 1907.

The House met pursuant to adjournment.

Prayer by Rev. W. M. Gage.

On motion of Mr. Moreland, the reading of the journal of yesterday was dispensed with, and the same was approved.

Mr. Hubbs gives notice that he requests that Assembly bill (No. 2348, Int. No. 1700) entitled "An act authorizing the Commissioners of the Land Office to convey a tract of land situated at Kings Park in the town of Smithtown, Suffolk county, and forming part of the lands of the Kings Park State Hospital, in exchange for certain other land situated at Kings Park, in the town of Smithtown, Suffolk county, for the use of the said Kings Park State Hospital," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Hammond gives notice that he requests that Assembly bill (No. 2431, Int. No. 1737) entitled "An act to amend the Penal Code, in relation to enticing inmates from certain State institutions," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Baldwin gives notice that he requests that Assembly bill (No. 2567, Int. No. 1802) entitled "An act to amend chapter twenty-six of the Laws of eighteen hundred and eighty-five, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,' relative to city and ward boundaries," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Haines gives notice that he requests that Assembly bill (No. 2157, Int. No. 1598) entitled "An act to authorize the grant by the city of Yonkers to the New York Central and Hudson River Railroad Company for railroad purposes of a portion of

the lands granted to the city of Yonkers by chapter five hundred and sixty-two of the Laws of eighteen hundred and ninety-nine," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. F. G. Whitney gives notice that he requests that Assembly bill (No. 2587, Int. No. 1554) entitled "An act to amend the Liquor Tax Law, in relation to definitions; bonds to be given; revocation and cancellation of liquor tax certificates; injunction proceedings; illegal sales and selling; definition of 'hotel' and 'guest'; exceptions; special liquor tax certificates in cities of the first and second class," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Schoeneck gives notice that he requests that Assembly bill (No. 1043, Int. No. 918) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section ten of article eight of the Constitution, relating to the limitation of indebtedness of counties, cities, towns and villages, by excepting cities of the second class from the provisions of said section after the first day of January, nineteen hundred and eight," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Prentice gives notice that he requests that Assembly bill (No. 2575, Int. No. 1810) entitled "An act to amend the Primary Election Law, relative to annual primary day," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Hamn gives notice that he requests that Assembly bill (No. 2568, Int. No. 1803) entitled "An act to amend chapter three hundred and sixty of the Laws of eighteen hundred and ninety-seven, entitled 'An act to incorporate the city of Geneva,' in relation to bonds and taxation for extraordinary expenditures,"

a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Conrady gives notice that he requests that Assembly bill (No. 1649, Int. No. 1092) entitled "An act to amend chapter two hundred and seventy-eight of the Laws of eighteen hundred and ninety-two, entitled 'An act to authorize the benevolent society in the city of Brooklyn, known as the Mount Zion Benevolent Society, to buy, hold and dispose of land for cemetery purposes,' " a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Hammond gives notice that he requests that Assembly bill (No. 2579, Int. No. 1814) entitled "An act fixing standards of purity, illuminating power and pressure of gas in cities of the second class," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Hamn gives notice that he requests that Assembly bill (No. 2569, Int. No. 1804) entitled "An act to amend chapter six hundred and sixty-six of the Laws of eighteen hundred and ninety-three, entitled 'An act to revise, amend and consolidate the several acts relating to the village of Canandaigua, and to repeal certain acts and parts of acts,' and the acts amendatory thereof, in relation to payment of village accounts, powers and duties of the board of street and sewer commissioners, and the village trustees in relation to care and improvement of pier and basin," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Lee gives notice that he requests that Assembly bill (No. 2576, Int. No. 1811) entitled "An act to authorize the commissioners of the sinking fund of the city of New York to refund certain moneys paid for taxes for the years nineteen hundred and one, nineteen hundred and two and nineteen hundred and

three, affecting property situate in the borough of Brooklyn, in the city of New York, now belonging to and upon which is erected the church edifice of the Fourth Unitarian Congregational Church of Brooklyn," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Wainwright gives notice that he requests that Assembly bill (No. 1668, Int. No. 1336) entitled "An act making an appropriation to aid in the purchase of the site of the birthplace of the State of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Dobbs gives notice that he requests that Assembly bill (No. 1219, Int. No. 1056) entitled "An act to amend the Code of Civil Procedure, in relation to an appellate term of the Supreme Court in certain boroughs of the city of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Whitley gives notice that he requests that Assembly bill (No. 2552, Int. No. 1465) entitled "An act to amend the Insurance Law, in relation to discriminations in life and endowment insurance premiums, and to the privileges and protections to be accorded witnesses in all actions or proceedings involving such discriminations," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Conrady gives notice that he requests that Assembly bill (No. 2395, Int. No. 569) entitled "An act to amend the Greater New York charter, in relation to the terms of appointment of clerks and assistant clerk of the Municipal Court," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. C. F. Murphy gives notice that he requests that Assembly bill (No. 2591, Int. No. 1370) entitled "An act to amend section twenty-two of the Civil Service Law, in relation to power of removal," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Norton gives notice that he requests that Assembly bill (No. 2484, Int. No. 1765) entitled "An act making an appropriation of moneys collected and due from racing associations for the promotion of agriculture," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Hooper gives notice that he requests that Assembly bill (No. 2496, Int. No. 1281) entitled "An act to amend the Forest, Fish and Game Law, relative to taxidermists," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Haines gives notice that he requests that Assembly bill (No. 2433, Int. No. 1739) entitled "An act to amend chapter four hundred and seventy-nine of the Laws of nineteen hundred and three, entitled 'An act for the improvement and repair of streets and roads in Yonkers that have existed as public streets for twenty years, and to issue bonds for the payment thereof,'" a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Eichhorn gives notice that he requests that Assembly bill (No. 2483, Int. No. 1764) entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain taxes, assessments and water rates now existing liens against and affecting property situated in the borough of Brooklyn, city of New York, belonging to Saint Malachy's Roman Catholic Church," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the com-

mittee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Frisbie gives notice that he requests that Assembly bill (No. 2536, Int. No. 1789) entitled "An act to make the office of the county clerk of Schenectady county a salaried office and regulating the management of said office," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on third reading.

Mr. Brown gives notice that he requests that Assembly bill (No. 1464, Int. No. 1212) entitled "An act to amend the Greater New York charter, as re-enacted by chapter four hundred and sixty-six of the Laws of nineteen hundred and one relative to the police force," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Cuvillier gives notice that he requests that Assembly bill (No. 2382, Int. No. 456) entitled "An act to amend section eight hundred and fifty-nine of the Greater New York charter, relative to wharfage rates on harbor lighters and other vessels at the port of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Oliver gives notice that he requests that the Senate bill (No. 942, Rec. No. 183) entitled "An act to amend chapter ninety-one of the Laws of eighteen hundred and ninety-five, entitled 'An act to amend the incorporation of the Society of the War of Eighteen Hundred and Twelve,' in relation to merger of council and board of directors, eligibility, appointment to and oath of office and use of armories," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Farrell gives notice that he requests that the Senate bill (No. 494, Rec. No. 309) entitled "An act to provide for erecting

a bridge over Gowanus canal in the borough of Brooklyn in the city of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Moreland gives notice that he requests that the Senate bill (No. 1334, Rec. No. 316) entitled "An act to amend the Greater New York charter, in relation to the powers of the board of estimate and apportionment," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of reporting a substitute bill for reprint and recommitment.

The Senate sent for concurrence the following entitled bill:

"An act making an appropriation for the national encampment of the Grand Army of the Republic to be held in the village of Saratoga Springs in the month of September, nineteen hundred and seven" (No. 1332, Rec. No. 329), which was read the first time and referred to the committee on ways and means.

By unanimous consent, Mr. Miller introduced a bill entitled "An act to amend chapter five hundred and eighty-eight of the Laws of eighteen hundred and ninety-eight, entitled 'An act to erect the county of Nassau from the territory now comprised within the limits of the towns of Oyster Bay, North Hempstead, in the county of Queens,' relative to the salary of the county superintendent of the poor" (Int. No. 1843), which was read the first time and referred to the committee on internal affairs.

By unanimous consent, Mr. Conklin introduced a bill entitled "An act to amend the Greater New York charter, relating to the defining of the powers of the commissioners of accounts to conduct examinations and to compel the attendance of witnesses" (Int. No. 1844), which was read the first time and referred to the committee on affairs of cities.

Also, by unanimous consent, "An act to amend the Code of Civil Procedure, with respect to punishment for contempt" (Int. No. 1845), which was read the first time and referred to the committee on codes.

By unanimous consent, Mr. Cuvillier introduced a bill entitled "An act to amend section one hundred and ten of article nine of

chapter five hundred and fifty-nine of the Laws of eighteen hundred and ninety-five, relative to veteran soldiers' and sailors' associations" (Int. No. 1846), which was read the first time and referred to the committee on the judiciary.

By unanimous consent, Mr. Schoeneek introduced a bill entitled "An act to create the office of State fire marshal, defining his duties and fixing compensation" (Int. No. 1847), which was read the first time and referred to the committee on ways and means.

By unanimous consent, Mr. C. F. Murphy introduced a bill entitled "An act to amend the Insurance Law, in relation to the insurance of pianos" (Int. No. 1848), which was read the first time and referred to the committee on insurance.

By unanimous consent, Mr. Stratton introduced a bill entitled "An act to amend the Highway Law, relating to the cutting and removal of noxious weeds and brush and providing for the same when the highway is in the boundary lines between two or more towns" (Int. No. 1849), which was read the first time and referred to the committee on internal affairs.

Mr. West, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Tax Law, in relation to the taxation of rents reserved, and to repeal certain provisions thereof relative thereto." (No. 2532, Int. No. 1785.)

"An act to provide for repairing the docks owned by the State at Babylon and Fire Island, and making an appropriation therefor." (No. 2252, Int. No. 1118.)

"An act to repeal sections three hundred and eighty-four-b and three hundred and eighty-four-c of chapter one hundred and five of the Laws of the year eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter six hundred and twenty-seven of the Laws of the year nineteen hundred and one, in relation to the police justice." (No. 1775, Int. No. 1394.)

"An act authorizing the Marcellus and Otisco Lake Railway Company and the Newark and Marion Railway Company to use locomotive steam power as a motive power." (No. 2598, Int. No. 1818.)

"An act to amend the Primary Election Law, in relation to correcting the enrollment books in cities containing a population of one million or over." (No. 2476, Int. No. 1762.)

"An act to amend the Greater New York charter, in relation to telegraph linemen in the fire department." (No. 2521, Int. No. 735.)

"An act to authorize the city of New Rochelle to borrow money by the issue of bonds for the purpose of meeting deficiencies in the funds of said city." (No. 2387, Int. No. 1367.)

"An act to amend section two hundred and ninety-one of the Penal Code of the State of New York." (No. 1773, Int. No. 1391.)

"An act to amend the Code of Criminal Procedure relative to the appointment of probationary officers, and defining their duties, and with relation to criminal statistics." (No. 1772, Int. No. 1390.)

"An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain taxes for the year nineteen hundred and six affecting property situate in the borough of Manhattan in the city of New York now belonging to and upon which is erected the building of the Young Women's Hebrew Association of the city of New York." (No. 2350, Int. No. 1703.)

"An act to amend chapter fourteen of the Laws of eighteen hundred and eighty, entitled 'An act to further amend chapter one hundred and forty-three of the Laws of eighteen hundred and sixty-one, entitled "An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,"' and to consolidate therewith the several acts in relation to the charter of said city." (No. 1776, Int. No. 1395.)

"An act to amend the Greater New York charter, relative to the commitment of persons convicted of public intoxication, disorderly conduct and vagrancy." (No. 1789, Int. No. 1392.)

"An act to authorize the board of estimate and apportionment of the city of New York to hear, determine, audit and allow claims of certain persons for services as probation officers in the city of New York, and directing the comptroller to pay such claims as may be allowed for such services by said board." (No. 1774, Int. No. 1393.)

"An act to amend chapter three hundred and thirty-four of the Laws of nineteen hundred and one, entitled 'An act in relation to tenement-houses in cities of the first class.'" (No. 2335, Int. No. 1692.)

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Baldwin (No. 2567, Int. No. 1802), entitled "An act to amend chapter twenty-six of the Laws of eighteen hundred and eighty-five, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,' relative to city and ward boundaries," retaining its place on the order of third reading, reported in favor of the passage of the same, with the following amendment:

On page 10, line 8, strike out "immediately" and insert "on the thirty-first day of December, nineteen hundred and six".

and that that same be reprinted, as amended, and re-engrossed, and that when it shall have been on the desks of the members three calendar days it be made a special order on third reading immediately, which report was agreed to, and said bill ordered reprinted, as amended, and re-engrossed, and when it shall have been on the desks of the members three calendar legislative days it be made a special order on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Haines (No. 2157, Int. No. 1598), entitled "An act to authorize the grant by the city of Yonkers to the New York Central and Hudson River Railroad Company for railroad purposes of a portion of the lands granted to the city of Yonkers by chapter five hundred and sixty-two of the Laws of eighteen hundred and ninety-nine," retaining its place on the order of third reading, reported in favor of the passage of the same, with the following amendment:

Page 1, line 3, after the word "empowered" insert the following words "in its discretion".

and that the same be reprinted, as amended, and re-engrossed, and that when it shall have been on the desks of the members three calendar days it be made a special order on third reading immediately, which report was agreed to, and said bill ordered re-

printed, as amended, and re-engrossed, and when it shall have been on the desks of the members three calendar legislative days it be made a special order on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. F. G. Whitney (No. 2587, Int. No. 1554), entitled "An act to amend the Liquor Tax Law, in relation to definitions; bonds to be given; revocation and cancellation of liquor tax certificates; injunction proceedings; illegal sales and selling; definition of 'hotel' and 'guest'; exceptions; special liquor tax certificates in cities of the first and second class."

Also, Assembly bill introduced by Mr. Schoeneck (No. 1043, Int. No. 918), entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section ten of article eight of the Constitution, relating to the limitation of indebtedness of counties, cities, towns and villages, by excepting cities of the second class from the provisions of said section after the first day of January, nineteen hundred and eight."

Also, Assembly bill, introduced by Mr. Prentice (No. 2575, Int. No. 1803), entitled "An act to amend chapter three hundred and sixty of the Laws of eighteen hundred and ninety-seven, entitled 'An act to incorporate the city of Geneva,' in relation to bonds and taxation for extraordinary expenditures."

Also, Assembly bill introduced by Mr. Conrady (No. 1649, Int. No. 1092), entitled "An act to amend chapter two hundred and seventy-eight of the Laws of eighteen hundred ninety-two, entitled 'An act to authorize the benevolent society in the city of Brooklyn, known as the Mount Zion Benevolent Society, to buy, hold and dispose of land for cemetery purposes.'"

Also, Assembly bill introduced by committee on electricity, gas and water supply (No. 2579, Int. No. 1814), entitled "An act fixing standards of purity, illuminating power and pressure of gas in cities of the second class."

Also, Assembly bill introduced by Mr. Hamn (No. 2569, Int. No. 1804), entitled "An act to amend chapter six hundred and sixty-six of the Laws of eighteen hundred and ninety-three, entitled 'An act to revise, amend and consolidate the several acts relating to the village of Canandaigua, and to repeal certain acts

and parts of acts,' and the acts amendatory thereof, in relation to payment of village accounts, powers and duties of the board of street and sewer commissioners, and the village trustees, in relation to care and improvement of pier and basin."

Also, Assembly bill introduced by Mr. Lee (No. 2576, Int. No. 1811), entitled "An act to authorize the commissioners of the sinking fund of the city of New York to refund certain moneys paid for taxes for the years nineteen hundred and one, nineteen hundred and two and nineteen hundred and three, affecting property situate in the borough of Brooklyn, in the city of New York, now belonging to and upon which is erected the church edifice of the Fourth Unitarian Congregational Church of Brooklyn," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Hammond (No. 2431, Int. No. 1737), entitled "An act to amend the Penal Code, in relation to enticing inmates from certain State institutions."

Also, Assembly bill introduced by Mr. Hubbs (No. 2348, Int. No. 1700), entitled "An act authorizing the Commissioners of the Land Office to convey a tract of land situated at Kings Park, in the town of Smithtown, Suffolk county, and forming part of the lands of the Kings Park State Hospital, in exchange for certain other land situated at Kings Park, in the town of Smithtown, Suffolk county, for the use of the said Kings Park State Hospital."

Also, Assembly bill introduced by Mr. Wainwright (No. 1668, Int. No. 1336), entitled "An act making an appropriation to aid in the purchase of the site of the birthplace of the State of New York."

Also, Assembly bill introduced by Mr. Dobbs (No. 1219, Int. No. 1056), entitled "An act to amend the Code of Civil Procedure, in relation to an appellate term of the Supreme Court in certain boroughs of the city of New York."

Also, Assembly bill introduced by Mr. Whitley (No. 2552, Int. No. 1465), entitled "An act to amend the Insurance Law, in relation to discriminations in life and endowment insurance premiums, and to the privileges and protection to be accorded witnesses in all actions or proceedings involving such discriminations."

Also, Assembly bill introduced by Mr. Conrady (No. 2395, Int. No. 569), entitled "An act to amend the Greater New York charter, in relation to the terms of appointment of clerks and assistant clerks of the Municipal Court."

Also, Assembly bill introduced by Mr. C. F. Murphy (No. 2591, Int. No. 1370), entitled "An act to amend section twenty-one of the Civil Service Law, in relation to power of removal."

Also, Assembly bill introduced by Mr. Norton (No. 2484, Int. No. 1165), entitled "An act making an appropriation of moneys collected and due from racing associations for the promotion of agriculture."

Also, Assembly bill introduced by Mr. Hooper (No. 2496, Int. No. 1281), entitled "An act to amend the Forest, Fish and Game Law, relative to taxidermists."

Also, Assembly bill introduced by Mr. Haines (No. 2433, Int. No. 1739), entitled "An act to amend chapter four hundred and seventy-nine of the Laws of nineteen hundred and three, entitled 'An act for the improvement and repair of streets and roads in Yonkers that have existed as public streets for twenty years, and to issue bonds for the payment thereof.'"

Also, Assembly bill introduced by Mr. Eichhorn (No. 2483, Int. No. 1764), entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain taxes, assessments and water rates now existing liens against and affecting property situated in the borough of Brooklyn, city of New York, belonging to Saint Malachy's Roman Catholic Church."

Also, Assembly bill introduced by Mr. Frisbie (No. 2536, Int. No. 1789), entitled "An act to make the office of the county clerk of Schenectady county a salaried office and regulating the management of said office."

Also, Assembly bill introduced by Mr. Brown (No. 1464, Int.

No. 1212), entitled "An act to amend the Greater New York charter as re-enacted by chapter four hundred and sixty-six of the Laws of nineteen hundred and one relative to the police force."

Also, Assembly bill introduced by Mr. Cuvillier (No. 2382, Int. No. 456), entitled "An act to amend section eight hundred and fifty-nine of the Greater New York charter, relative to wharfage rates on harbor lighters and other vessels at the port of New York," reported in favor of the passage of the same without amendment, and that the same be made a special order on third reading immediately, which report was agreed to, and said bills ordered made special orders on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Grady (No. 942, Rec. No. 183), entitled "An act to amend chapter ninety-one of the Laws of eighteen hundred and ninety-five, entitled 'An act to amend the incorporation of the Society of the War of Eighteen Hundred and Twelve,' in relation to merger of council and board of directors, eligibility, appointment to and oath of office and use of armories."

Also, Senate bill introduced by Mr. Thompson (No. 494, Rec. No. 309), entitled "An act to provide for erecting a bridge over Gowanus canal in the borough of Brooklyn in the city of New York," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill introduced by Mr. Foelker (No. 1334, Rec. No. 316), entitled "An act to amend the Greater New York charter, in relation to the powers of the board of estimate and apportionment," reported the following substitute bill:

(See Appendix No. 34.)

and requests that said substitute bill be reprinted and recommitted to said committee, which report was agreed to, and said substitute bill ordered reprinted, as amended, and recommitted to said committee.

Mr. Speaker announced the special order, being the bill (No. 2434) entitled "An act to amend the Highway Law, relating to the cutting and removal of noxious weeds and brush and providing for the same when the highway is in the boundary lines between two or more towns." (Int. No. 750.)

Said bill having been announced for a third reading, on motion of Mr. Stratton, said bill was laid aside and ordered stricken from the calendar.

Mr. Speaker announced the special order, being the bill (No. 2592) entitled "An act to amend the Legislative Law, generally." (Int. No. 1735.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hamilton	Merritt	Shuttleworth
Averill	Dudley	Hammond	Miller	Sinclair
Baldwin	Duell	Hamn	Mills	Smith A E
Baumann	Eagleton	Harper	Mooney	Smith C
Blue	Eggleston	Harris	Moreland	Stern
Boshart	Eichhorn	Hart	Morgan	Stevenson
Brady	Farrell	Hastings	Murphy G W	Stratton
Brooks	Ferguson	Hoey	Nevins	Surpless
Brough	Feth	Holmes	Newton	Todd
Brown	Filley	Hooper	Northrup	Volk
Buckley	Foley C F	Hubbs	Norton	Voss
Burhyte	Foley J A.	Hurd	O'Brian	Waddell
Burns	Fowler	Huth	Oliver	Wagner
Cavanaugh	Francis	Jackson	Parker	Wainwright
Chamberlain	Frisbie	Jacobs	Patton	Waters
Cole	Ganly	Lansing	Phillips	Weber
Collins	Garbe	Lee	Prentice	Weimert
Colné	Geoghagan	Lewis	Ralston	Wells
Conklin	Glore	Loos	Reece	West
Conrady	Glynn	Lowe	Robinson	Whitley
Croak	Goldberg	Lupton	Rogers	Whitney F G
Cunningham	Gray	Maher	Schmidt	Whitney G H
Cuvillier	Green	Mallon	Schoeneck	Winters
De Groot	Gunderman	Mance	Schulz	Wood
Dominy	Hackett	Marlatt	Schwegler	Yale
Donnelly	Haines	Matthews	Sheridan	Young
Dowling				

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1464) entitled "An act to amend the Greater New York charter, as re-enacted by chapter four hundred and sixty-six of the Laws of nineteen hundred and one relative to the police force." (Int. No. 1212.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hamilton	Merritt	Shuttleworth
Averill	Dudley	Hammond	Miller	Sinclair
Baldwin	Duell	Hamn	Mills	Smith A E
Baumann	Eagleton	Harper	Mooney	Smith C
Blue	Eggleston	Harris	Moreland	Stern
Boshart	Eichhorn	Hart	Morgan	Stevenson
Brady	Farrell	Hastings	Murphy G W	Stratton
Brooks	Ferguson	Hoey	Nevins	Surpless
Brough	Feth	Holmes	Newton	Todd
Brown	Filley	Hooper	Northrup	Volk
Buckley	Foley C F	Hubbs	Norton	Voss
Burhyte	Foley J A	Hurd	O'Brian	Waddell
Burns	Fowler	Huth	Oliver	Wagner
Cavanaugh	Francis	Jackson	Parker	Wainwright
Chamberlain	Frisbie	Jacobs	Patton	Waters
Cole	Ganly	Lansing	Phillips	Weber
Collins	Garbe	Lee	Prentice	Weimert
Colné	Geoghagan	Lewis	Ralston	Wells
Conklin	Glore	Loos	Reece	West
Conrady	Glynn	Lowe	Robinson	Whitley
Croak	Goldberg	Lupton	Rogers	Whitney F G
Cunningham	Gray	Maher	Schmidt	Whitney G H
Cuvillier	Green	Mallon	Schoeneck	Winters
De Groot	Gunderman	Mance	Schulz	Wood
Dominy	Hackett	Marlatt	Schwegler	Yale
Donnelly	Haines	Matthews	Sheridan	Young
Dowling				

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2382) entitled "An act to amend section eight hundred and fifty-nine of the Greater New York charter, relative to wharfage rates on harbor lighters and other vessels at the port of New York." (Int. No. 456.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Hamilton	Merritt	Shuttleworth
Averill	Draper	Hammond	Miller	Sinclair
Baldwin	Dudley	Hamn	Mills	Smith A E
Baumann	Duell	Harper	Mooney	Smith C
Blue	Eagleton	Harris	Moreland	Stern
Boshart	Eggleston	Hart	Morgan	Stratton
Brady	Eichhorn	Hastings	Murphy G W	Surpluss
Brooks	Farrell	Hoey	Nevins	Todd
Brough	Ferguson	Holmes	Newton	Volk
Brown	Feth	Hooper	Northrup	Voss
Buckley	Filley	Hubbs	Norton	Waddell
Burhyte	Foley C F	Hurd	O'Brian	Wagner
Burns	Foley J A	Huth	Oliver	Wainwright
Cavanaugh	Fowler	Jackson	Parker	Waters
Chamberlain	Francis	Jacobs	Patton	Weber
Cole	Frisbie	Lausing	Phillips	Weimert
Collins	Ganly	Lee	Prentice	Wells
Colné	Garbe	Lewis	Ralston	West
Conklin	Geoghagan	Loos	Reece	Whitley
Conrady	Glore	Lowe	Robinson	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Yale
Dominy	Hackett	Marlatt	Schwegler	Young
Donnelly	Haines	Matthews	Sheridan	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2483) entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain taxes,

assessments and water rates now existing liens against and affecting property situated in the borough of Brooklyn, city of New York, belonging to Saint Malachy's Roman Catholic Church." (Int. No. 1764.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Marlatt	Sheridan
Averill	Draper	Hamilton	Matthews	Shuttleworth
Baldwin	Dudley	Hammond	Merritt	Sinclair
Baumann	Duell	Hamn	Miller	Smith A E
Blue	Eagleton	Harper	Mooney	Smith C
Boshart	Eggleston	Harris	Moreland	Stern
Brady	Eichhorn	Hart	Morgan	Stratton
Brooks	Farrell	Hastings	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filey	Hooper	Northrup	Voss
Burhyte	Foley C F	Hubbs	Norton	Waddell
Burns	Foley J A	Hurd	O'Brian	Wagner
Cavanaugh	Fowler	Huth	Oliver	Waters
Chamberlain	Francis	Jackson	Parker	Weber
Cole	Frisbie	Jacobs	Patton	Weimert
Collins	Ganly	Lansing	Phillips	Wells
Colné	Garbe	Lee	Ralston	West
Conklin	Geoghagan	Lewis	Reece	Whitley
Conrady	Glore	Loos	Robinson	Whitney F G
Croak	Glynn	Lowe	Rogers	Whitney G H
Cunningham	Goldberg	Lupton	Schmidt	Winters
Cuvillier	Gray	Maher	Schoeneck	Wood
De Groot	Green	Mallon	Schulz	Yale
Dominy	Gunderman	Mance	Schwegler	Young
Donnelly	Hackett			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2536) entitled "An act to make the office of the county clerk of Schenectady county a salaried office and regulating the management of said office." (Int. No. 1789.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hamilton	Merritt	Shuttleworth
Averill	Dudley	Hammond	Miller	Sinclair.
Baldwin	Duell	Hamn	Mills	Smith A E
Baumann	Eagleton	Harper	Mooney	Smith C
Blue	Eggleston	Harris	Moreland	Stern
Boshart	Eichhorn	Hart	Morgan	Stevenson
Brady	Farrell	Hastings	Murphy G W	Stratton
Brooks	Ferguson	Hoey	Nevins	Surpless
Brough	Feth	Holmes	Newton	Todd
Brown	Filley	Hooper	Northrup	Volk
Buckley	Foley C F	Hubbs	Norton	Voss
Burhyte	Foley J A	Hurd	O'Brian	Waddell
Burns	Fowler	Huth	Oliver	Wagner
Cavanaugh	Francis	Jackson	Parker	Wainwright
Chamberlain	Frisbie	Jacobs	Patton	Waters
Cole	Ganly	Lansing	Phillips	Weber
Collins	Garbe	Lee	Prentice	Weimert
Colné	Geoghagan	Lewis	Ralston	Wells
Conklin	Glore	Loos	Reece	West
Conrady	Glynn	Lowe	Robinson	Whitley
Croak	Goldberg	Lupton	Rogers	Whitney F G
Cunningham	Gray	Maher	Schmidt	Whitney G H
Cuvillier	Green	Mallon	Schoeneck	Winters
De Groot	Gunderman	Mance	Schulz	Wood
Dominy	Hackett	Marlatt	Schwegler	Yale
Donnelly	Haines	Matthews	Sheridan	Young
Bowling				

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2431) entitled "An act to amend the Penal Code, in relation to enticing inmates from certain State institutions." (Int. No. 1737.)

Said bill having been announced for third reading, Mr. Hammond moved that said bill be recommitted to the committee on codes, with instructions to report the same forthwith amended as follows:

Page 1, line 1, after the word "penal" insert "code".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Phillips, from the committee on codes, reported said bill amended as directed, and the same was ordered reprinted and placed on the special order of third reading:

Mr. Speaker announced the special order, being the bill (No. 2348) entitled "An act authorizing the Commissioners of the Land Office to convey a tract of land situated at Kings Park, in the town of Smithtown, Suffolk county, and forming part of the lands of the Kings Park State Hospital, in exchange for certain other land situated at Kings Park in the town of Smithtown, Suffolk county, for the use of the said Kings Park State Hospital." (Int. No. 1700.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

AYES 128

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Merritt	Sheridan
Averill	Draper	Hamilton	Miller	Shuttleworth
Baldwin	Dudley	Hammond	Mills	Sinclair
Baumann	Duell	Harper	Mooney	Smith A E
Blue	Eagleton	Harris	Moreland	Smith C
Boshart	Eggleston	Hart	Morgan	Stern
Brady	Eichhorn	Hastings	Murphy G W	Stratton
Brooks	Farrell	Hoey	Nevins	Surpless
Brough	Ferguson	Holmes	Newton	Todd
Brown	Feth	Hooper	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Foley C F	Hurd	O'Brian	Waddell
Burns	Foley J A	Huth	Oliver	Wagner
Cavanaugh	Fowler	Jackson	Parker	Waters
Chamberlain	Francis	Jacobs	Patton	Weber
Cole	Frisbie	Lansing	Phillips	Weimert
Collins	Ganly	Lee	Prentice	Wells
Colné	Garbe	Lewis	Ralston	West
Conklin	Geoghagan	Loos	Reece	Whitley
Conrad	Glore	Lowe	Robinson	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Yale
Dominy	Gunderman	Marlatt	Schwegler	Young
Donnelly	Hackett	Matthews		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2496) entitled "An act to amend the Forest, Fish and Game Law, relative to taxidermists." (Int. No. 1281.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Matthews	Sheridan
Averill	Draper	Hamilton	Merritt	Shuttleworth
Baldwin	Dudley	Hammond	Miller	Sinclair
Baumann	Duell	Hamn	Mills	Smith A E
Blue	Eagleton	Harper	Mooney	Smith C
Boshart	Eggleston	Harris	Moreland	Stern
Brady	Eichhorn	Hart	Morgan	Stratton
Brooks	Farrell	Hastings	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Voss
Burhyte	Foley C F	Hubbs	Norton	Waddell
Burns	Foley J A	Hurd	O'Brian	Wagner
Cavanaugh	Fowler	Huth	Oliver	Waters
Chamberlain	Francis	Jackson	Parker	Weber
Cole	Frisbie	Jacobs	Patton	Weinert
Collins	Ganly	Lansing	Phillips	Wells
Colné	Garbe	Lee	Ralston	West
Conklin	Geoghagan	Lewis	Reece	Whitley
Conrady	Glore	Loos	Robinson	Whitney F G
Croak	Glynn	Lowe	Rogers	Whitney G H
Cunningham	Goldberg	Lupton	Schmidt	Winters
Cuvillier	Gray	Maher	Schoeneck	Wood
De Groot	Green	Mallon	Schulz	Yale
Dominy	Gunderman	Mance	Schwegler	Young
Donnelly	Hackett	Marlatt		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2433) entitled "An act to amend chapter four hundred and seventy-nine of the Laws of nineteen hundred and three, entitled

‘An act for the improvement and repair of streets and roads in Yonkers that have existed as public streets for twenty years, and to issue bonds for the payment thereof.’ ” (Int. No. 1739.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative, were:

Apgar	Draper	Hamilton	Merritt	Shuttleworth
Averill	Dudley	Hammond	Miller	Sinclair
Baldwin	Duell	Hamn	Mills	Smith A E
Baumann	Eagleton	Harper	Mooney	Smith C
Blue	Eggleston	Harris	Moreland	Stern
Boshart	Eichhorn	Hart	Morgan	Stevenson
Brady	Farrell	Hastings	Murphy G W	Stratton
Brooks	Ferguson	Hoey	Nevins	Surpless
Brough	Feth	Holmes	Newton	Todd
Brown	Filley	Hooper	Northrup	Volk
Buckley	Foley C F	Hubbs	Norton	Voss
Burhyte	Foley J A	Hurd	O'Brian	Waddell
Burns	Fowler	Huth	Oliver	Wagner
Cavanaugh	Francis	Jackson	Parker	Wainwright
Chamberlain	Frisbie	Jacobs	Patton	Waters
Cole	Ganly	Lansing	Phillips	Weber
Collins	Garbe	Lee	Prentice	Weimert
Colné	Geoghagan	Lewis	Ralston	Wells
Conklin	Glore	Loos	Reece	West
Conrady	Glynn	Lowe	Robinson	Whitley
Croak	Goldberg	Lupton	Rogers	Whitney F G
Cunningham	Gray	Maher	Schmidt	Whitney G H
Cuvillier	Green	Mallon	Schoeneck	Winters
De Groot	Gunderman	Mance	Schulz	Wood
Dominy	Hackett	Marlatt	Schwegler	Yale
Donnelly	Haines	Matthews	Sheridan	Young
Dowling				

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2591) entitled “An act to amend section twenty-one of the Civil Service Law, in relation to power of removal.” (Int. No. 1370.)

Said bill having been announced for third reading, Mr. C. F.

Murphy moved that said bill be recommitted to the committee on the judiciary, with instructions to report the same forthwith amended as follows:

Strike out words "the civil service law," on page 1, line 1.

Insert page 1, line 1, after the word "of" the following words: "Chapter three hundred and seventy of the Laws of eighteen hundred and ninety-nine entitled 'An act in relation to the civil service of the State of New York and the cities and civil divisions thereof constituting chapter three of the general laws,'".

Beginning on page 2, line 6, strike out all matter in italics beginning with "and" and including "located", on page 2, line 10.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Rogers, from the committee on the judiciary, reported said bill amended as directed, and the same was ordered reprinted and placed on the special order of third reading.

Mr. Speaker announced the special order, being the bill (No. 2484) entitled "An act making an appropriation of moneys collected and due from racing associations for the promotion of agriculture." (Int. No. 1765.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Hamilton	Miller	Shuttleworth
Averill	Draper	Hammond	Mills	Sinclair
Baldwin	Dudley	Harper	Mooney	Smith A E
Baumann	Duell	Harris	Moreland	Smith C
Blue	Eagleton	Hart	Morgan	Stern
Boshart	Eggleston	Hastings	Murphy G W	Stratton
Brady	Eichhorn	Hoey	Nevins	Surpless
Brooks	Farrell	Holmes	Newton	Todd
Brough	Ferguson	Hooper	Northrup	Volk
Brown	Feth	Hubbs	Norton	Voss
Buckley	Filley	Hurd	O'Brian	Waddell
Burhyte	Foley C F	Huth	Oliver	Wagner

Burns	Foley J A	Jackson	Parker	Wainwright
Cavanaugh	Fowler	Jacobs	Patton	Waters
Chamberlain	Francis	Lansing	Phillips	Weber
Cole	Frisbie	Lee	Prentice	Weimert
Collins	Ganly	Lewis	Ralston	Wells
Colné	Garbe	Loos	Reece	West
Conklin	Glore	Lowe	Robinson	Whitley
Conrady	Glynn	Lupton	Rogers	Whitney F G
Croak	Goldberg	Maher	Schmidt	Whitney G H
Cunningham	Gray	Mallon	Schoeneck	Winters
Cuvillier	Green	Mance	Schulz	Wood
De Groot	Gunderman	Marlatt	Schwegler	Yale
Dominy	Hackett	Matthews	Sheridan	Young
Donnelly	Haines	Merritt		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2552) entitled "An act to amend the Insurance Law, in relation to discriminations in life and endowment insurance premiums, and to the privileges and protections to be accorded witnesses in all actions or proceedings involving such discriminations." (Int. No. 1465.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Hamilton	Merritt	Shuttleworth
Averill	Draper	Hammond	Miller	Sinclair
Baldwin	Dudley	Hamn	Mills	Smith A E
Baumann	Duell	Harper	Mooney	Smith C
Blue	Eagleton	Harris	Moreland	Stern
Boshart	Eggleston	Hart	Morgan	Stratton
Brady	Eichhorn	Hastings	Murphy G W	Surpluss
Brooks	Farrell	Hoey	Nevins	Todd
Brough	Ferguson	Holmes	Newton	Volk
Brown	Feth	Hooper	Northrup	Voss
Buckley	Filley	Hubbs	Norton	Waddell
Burhyte	Foley C F	Hurd	O'Brian	Wagner
Burns	Foley J A	Huth	Oliver	Wainwright
Cavanaugh	Fowler	Jackson	Parker	Waters
Chamberlain	Francis	Jacobs	Patton	Weber

Cole	Frisbie	Lansing	Phillips	Weimert
Collins	Ganly	Lee	Prentice	Wells
Colné	Garbe	Lewis	Ralston	West
Conklin	Glore	Loos	Reece	Whitley
Conrady	Glynn	Lowe	Robinson	Whitney F G
Croak	Goldberg	Lupton	Rogers	Whitney G H
Cunningham	Gray	Maher	Schmidt	Winters
Cuvillier	Green	Mallon	Schoeneck	Wood
De Groot	Gunderman	Mance	Schulz	Yale
Dominy	Hackett	Marlatt	Schwegler	Young
Donnelly	Haines	Matthews	Sheridan	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2395) entitled "An act to amend the Greater New York charter, in relation to the terms of appointment of clerks and assistant clerks of the Municipal Court." (Int. No. 569.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 1

Those who voted in the affirmative were:

Apgar	Dowling	Hamilton	Merritt	Shuttleworth
Averill	Draper	Hammond	Miller	Sinclair
Baldwin	Dudley	Hamn	Mills	Smith A E
Baumann	Duell	Harper	Mooney	Smith C
Blue	Eagleton	Harris	Moreland	Stern
Boshart	Eggleston	Hart	Morgan	Stratton
Brady	Eichhorn	Hastings	Murphy G W	Surpluss
Brooks	Farrell	Hoey	Nevins	Todd
Brough	Ferguson	Holmes	Newton	Volk
Brown	Feth	Hooper	Northrup	Voss
Buckley	Filley	Hubbs	Norton	Waddell
Burhyte	Foley C F	Hurd	O'Brian	Wagner
Burns	Fowler	Huth	Oliver	Wainwright
Cavanaugh	Francis	Jackson	Parker	Waters
Chamberlain	Frisbie	Jacobs	Patton	Weber
Cole	Ganly	Lansing	Phillips	Weimert
Collins	Garbe	Lee	Prentice	Wells
Colné	Geoghagan	Lewis	Ralston	West
Conklin	Glore	Loos	Reece	Whitley
Conrady	Glynn	Lowe	Robinson	Whitney F G
Croak	Goldberg	Lupton	Rogers	Whitney G H

Cunningham	Gray	Maher	Schmidt	Winters
Cuvillier	Green	Mallon	Schoeneck	Wood
De Groot	Gunderman	Mance	Schulz	Yale
Dominy	Hackett	Marlatt	Schwegler	Young
Donnelly	Haines	Matthews	Sheridan	

In the negative:

Foley J A

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1668) entitled "An act making an appropriation to aid in the purchase of the site of the birthplace of the State of New York." (Int. No. 1336.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Matthews	Sheridan
Averill	Draper	Hamilton	Merritt	Shuttleworth
Baldwin	Dudley	Hammond	Miller	Sinclair
Baumann	Duell	Hamn	Mills	Smith A E
Blue	Eagleton	Harper	Mooney	Smith C
Boshart	Eggleston	Harris	Moreland	Stern
Brady	Eichhorn	Hart	Morgan	Stratton
Brooks	Farrell	Hastings	Murphy G W	Surpluss
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Voss
Burhyte	Foley C F	Hubbs	Norton	Waddell
Burns	Foley J A	Hurd	O'Brian	Wagner
Cavanaugh	Fowler	Huth	Oliver	Wainwright
Chamberlain	Francis	Jackson	Parker	Waters
Cole	Frisbie	Jacobs	Patton	Weber
Collins	Ganly	Lansing	Phillips	Weimert
Colné	Garbe	Lee	Prentice	Wells
Conklin	Geoghagan	Lewis	Ralston	West
Conrady	Glore	Loos	Reece	Whitley
Croak	Glynn	Lowe	Robinson	Whitney F G
Cunningham	Goldberg	Lupton	Rogers	Whitney G H
Cuvillier	Gray	Maher	Schmidt	Winters
De Groot	Green	Mallon	Schoeneck	Wood
Dominy	Gunderman	Mance	Schulz	Yale
Donnelly	Hackett	Marlatt	Schwegler	Young

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1219) entitled "An act to amend the Code of Civil Procedure, in relation to an appellate term of the Supreme Court in certain boroughs of the city of New York." (Int. No. 1056.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Matthews	Sheridan
Averill	Draper	Hamilton	Merritt	Shuttleworth
Baldwin	Dudley	Hammond	Miller	Sinclair
Baumann	Duell	Hamn	Mills	Smith A E
Blue	Eagleton	Harper	Mooney	Smith C
Boshart	Eggleston	Harris	Moreland	Stern
Brady	Eichhorn	Hart	Morgan	Stratton
Brooks	Farrell	Hastings	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Voss
Burhyte	Foley C F	Hubbs	Norton	Waddell
Burns	Foley J A	Hurd	O'Brian	Wagner
Cavanaugh	Fowler	Huth	Oliver	Wainwright
Chamberlain	Francis	Jackson	Parker	Waters
Cole	Frisbie	Jacobs	Patton	Weber
Collins	Ganly	Lansing	Phillips	Weimert
Colné	Garbe	Lee	Prentice	Wells
Conklin	Geoghagan	Lewis	Ralston	West
Conrady	Glore	Loos	Reece	Whitley
Creak	Glynn	Lowe	Robinson	Whitney F G
Cunningham	Goldberg	Lupton	Rogers	Whitney G H
Cuvillier	Gray	Maher	Schmidt	Winters
De Groot	Green	Mallon	Schoeneck	Wood
Dominy	Gunderman	Mance	Schulz	Yale
Donnelly	Hackett	Marlatt	Schwegler	Young

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No.

2579) entitled "An act fixing standards of purity, illuminating power and pressure of gas in cities of the second class." (Int. No. 1814.)

Said bill having been announced for a second reading, on motion of Mr. Hammond, and by unanimous consent, said bill was made a special order on second and third reading for Friday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 1649) entitled "An act to amend chapter two hundred and seventy-eight of the Laws of eighteen hundred and ninety-two, entitled 'An act to authorize the benevolent society in the city of Brooklyn, known as the Mount Zion Benevolent Society, to buy, hold and dispose of land for cemetery purposes.'" (Int. No. 1092.)

Said bill having been announced for a second reading, on motion of Mr. Conrady, and by unanimous consent, said bill was made a special order on second and third reading for Tuesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 2576) entitled "An act to authorize the commissioners of the sinking fund of the city of New York to refund certain moneys paid for taxes for the years nineteen hundred and one, nineteen hundred and two and nineteen hundred and three, affecting property situate in the borough of Brooklyn, in the city of New York, now belonging to and upon which is erected the church edifice of the Fourth Unitarian Congregational Church of Brooklyn." (Int. No. 1811.)

On motion of Mr. Lee, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Matthews	Sheridan
Averill	Draper	Hamilton	Merritt	Shuttleworth
Baldwin	Dudley	Hammond	Miller	Sinclair
Baumann	Duell	Hamn	Mills	Smith A E
Blue	Eagleton	Harper	Mooney	Smith C
Boshart	Eggleston	Harris	Moreland	Stern
Brady	Eichhorn	Hart	Morgan	Stratton
Brooks	Farrell	Hastings	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Voss
Burhyte	Foley C F	Hubbs	Norton	Waddell
Burns	Foley J A	Hurd	O'Brian	Wagner
Cavanaugh	Fowler	Huth	Oliver	Wainwright
Chamberlain	Francis	Jackson	Parker	Waters
Cole	Frisbie	Jacobs	Patton	Weber
Collins	Ganly	Lansing	Phillips	Weimert
Colné	Garbe	Lee	Prentice	Wells
Conklin	Geoghagan	Lewis	Ralston	West
Conrady	Glore	Loos	Reece	Whitley
Croak	Glynn	Lowe	Robinson	Whitney F G
Cunningham	Goldberg	Lupton	Rogers	Whitney G H
Cuvillier	Gray	Maher	Schmidt	Winters
De Groot	Green	Mallon	Schoeneck	Wood
Dominy	Gunderman	Mance	Schulz	Yale
Donnelly	Hackett	Marlatt	Schwegler	Young

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2568) entitled "An act to amend chapter three hundred and sixty of the Laws of eighteen hundred and ninety-seven, entitled 'An act to incorporate the city of Geneva,' in relation to bonds and taxation for extraordinary expenditures."

On motion of Mr. Hamn, said bill was read the second time and ordered to a third reading.

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Matthews	Sheridan
Averill	Draper	Hamilton	Merritt	Shuttleworth
Baldwin	Dudley	Hammond	Miller	Sinclair
Baumann	Duell	Hamn	Mills	Smith A E
Blue	Eagleton	Harper	Mooney	Smith C
Boshart	Eggleston	Harris	Moreland	Stern
Brady	Eichhorn	Hart	Morgan	Stratton
Brooks	Farrell	Hastings	Murphy G W	Surpless
Brough	Ferguson	Hoev	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Voss
Burhyte	Foley C F	Hubbs	Norton	Waddell
Burns	Foley J A	Hurd	O'Brian	Wagner
Cavanaugh	Fowler	Huth	Oliver	Wainwright
Chamberlain	Francis	Jackson	Parker	Waters
Cole	Frisbie	Jacobs	Patton	Weber
Collins	Ganly	Lansing	Phillips	Weimert
Colné	Garbe	Lee	Prentice	Wells
Conklin	Geoghagan	Lewis	Ralston	West
Conrady	Glore	Loos	Reece	Whitley
Croak	Glynn	Lowe	Robinson	Whitney F G
Cunningham	Goldberg	Lupton	Rogers	Whitney G H
Cuvillier	Gray	Maher	Schmidt	Winters
De Groot	Green	Mallon	Schoeneck	Wood
Dominy	Gunderman	Mance	Schulz	Yale
Donnelly	Hackett	Marlatt	Schwegler	Young

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2569) entitled "An act to amend chapter six hundred and sixty-six of the Laws of eighteen hundred and ninety-three, entitled 'An act to revise, amend and consolidate the several acts relating to the village of Canandaigua, and to repeal certain acts and parts of acts,' and the acts amendatory thereof, in relation to payment of village accounts, powers and duties of the board of street and sewer commissioners, and the village trustees in relation to care and improvement of pier and basin." (Int. No. 1804.)

On motion of Mr. Hamn, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Matthews	Sheridan
Averill	Draper	Hamilton	Merritt	Shuttleworth
Baldwin	Dudley	Hammond	Miller	Sinclair
Baumann	Duell	Hamn	Mills	Smith A E
Blue	Eagleton	Harper	Mooney	Smith C
Boshart	Eggleston	Harris	Moreland	Stern
Brady	Eichhorn	Hart	Morgan	Stratton
Brooks	Farrell	Hastings	Murphy G W	Surpluss
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Voss
Burhyte	Foley C F	Hubbs	Norton	Waddell
Burns	Foley J A	Hurd	O'Brian	Wagner
Cavanaugh	Fowler	Huth	Oliver	Wainwright
Chamberlain	Francis	Jackson	Parker	Waters
Cole	Frisbie	Jacobs	Patton	Weber
Collins	Ganly	Lansing	Phillips	Weimert
Colné	Garbe	Lee	Prentice	Wells
Conklin	Geoghagan	Lewis	Ralston	West
Conrady	Glore	Loos	Reece	Whitley
Croak	Glynn	Lowe	Robinson	Whitney F G
Cunningham	Goldberg	Lupton	Rogers	Whitney G H
Cuvillier	Gray	Maher	Schmidt	Winters
De Groot	Green	Mallon	Schoeneck	Wood
Dominy	Gunderman	Mance	Schulz	Yale
Donnelly	Hackett	Marlatt	Schwegler	Young

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2575) entitled "An act to amend the Primary Election Law, relative to annual primary day" (Int. No. 1810), having been announced for a second reading,

On motion of Mr. Prentice, said bill was recommitted to the committee on rules, retaining its place on the order of second reading.

Mr. Speaker announced the special order, being the bill (No. 1043) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section ten of article eight of the Constitution, relating to the limitation of indebtedness of counties, cities, towns and village, by excepting cities of the

second class from the provisions of said section after the first day of January, nineteen hundred and eight." (Int. No. 918.)

On motion of Mr. Schoeneck, said bill was read the second time and ordered to a third reading.

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Merritt	Shuttleworth.
Averill	Draper	Hamilton	Miller	Sinclair
Baldwin	Dudley	Hammond	Mills	Smith A E
Baumann	Duell	Hamn	Mooney	Smith C
Blue	Eagleton	Harper	Moreland	Stern
Boshart	Eggleston	Harris	Morgan	Stratton
Brady	Eichhorn	Hastings	Murphy G W	Surpluss
Brooks	Farrell	Hoev	Nevins	Todd
Brough	Ferguson	Holmes	Newton	Volk
Brown	Feth	Hooper	Northrup	Voss
Buckley	Filley	Hubbs	Norton	Waddell
Burhyte	Foley C F	Hurd	O'Brian	Wagner
Burns	Foley J A	Huth	Oliver	Wainwright
Cavanaugh	Fowler	Jackson	Parker	Waters
Chamberlain	Francis	Jacobs	Patton	Weber
Cole	Frisbie	Lansing	Phillips	Weimert
Collins	Ganly	Lee	Prince	Wells
Colné	Garbe	Lewis	Ralston	West
Conklin	Geoghagan	Loos	Reece	Whitley
Conrady	Glore	Lowe	Robinson	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Yale
Dominy	Gunderman	Marlatt	Schwegler	Young
Donnelly	Hackett	Matthews	Sheridan	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2587) entitled "An act to amend the Liquor Tax Law, in relation to definitions; bonds to be given; revocation and cancellation of liquor tax certificates; injunction proceedings; illegal sales and selling; definition of 'hotel' and 'guest;' exceptions; special

liquor tax certificates in cities of the first and second class" (Int. No. 1554), having been announced for a second reading,

On motion of Mr. F. G. Whitney, and by unanimous consent, said bill was made a special order on second and third reading for Tuesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the Senate bill (No. 494) entitled "An act to provide for erecting a bridge over Gowanus canal in the borough of Brooklyn in the city of New York." (Rec. No. 309.)

On motion of Mr. Oliver, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Hamilton	Miller	Shuttleworth
Averill	Draper	Hammond	Mills	Sinclair
Baldwin	Dudley	Hamn	Mooney	Smith A E
Baumanh	Duell	Harper	Moreland	Smith C
Blue	Eagleton	Harris	Morgan	Stern
Boshart	Eggleston	Hastings	Murphy G W	Stratton
Brady	Eichhorn	Hoey	Nevins	Surpless
Brooks	Farrell	Holmes	Newton	Todd
Brough	Ferguson	Hooper	Northrup	Volk
Brown	Feth	Hubbs	Norton	Voss
Buckley	Filley	Hurd	O'Brian	Waddell
Burhyte	Foley C F	Huth	Oliver	Wagner
Burns	Foley J A	Jackson	Parker	Wainwright
Cavanaugh	Fowler	Jacobs	Patton	Waters
Chamberlain	Francis	Lansing	Phillips	Weber
Cole	Frisbie	Lee	Prentice	Weimert
Collins	Ganly	Lewis	Ralston	Wells
Colné	Garbe	Loos	Reece	West
Conklin	Glore	Lowe	Robinson	Whitley
Conrady	Glynn	Lupton	Rogers	Whitney F G
Croak	Goldberg	Maher	Schmidt	Whitney G H
Cunningham	Gray	Mallon	Schoeneck	Winters
Cuvillier	Green	Mance	Schulz	Wood
De Groot	Gunderman	Marlatt	Schwegler	Yale
Dominy	Hackett	Matthews	Sheridan	Young
Donnelly	Haines	Merritt		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 942) entitled "An act to amend chapter ninety-one of the Laws of eighteen hundred and ninety-five, entitled 'An act to amend the incorporation of "The Society of the War of Eighteen Hundred and Twelve,"' in relation to merger of council and board of directors, eligibility, appointment to and oath of office and use of armories." (Rec. No. 183.)

On motion of Mr. Oliver, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Hamilton	Merritt	Shuttleworth
Averill	Draper	Hammond	Miller	Sinclair
Baldwin	Dudley	Hamn	Mills	Smith A E
Baumann	Duell	Harper	Mooney	Smith C
Blue	Eagleton	Harris	Moreland	Stern
Boshart	Eggleston	Hart	Morgan	Stevenson
Brady	Eichhorn	Hastings	Murphy G W	Stratton
Brooks	Farrell	Hoey	Nevins	Surpless
Brough	Ferguson	Holmes	Newton	Todd
Brown	Feth	Hooper	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Foley C F	Hurd	O'Brian	Waddell
Burns	Foley J A	Huth	Oliver	Wagner
Cavanaugh	Fowler	Jackson	Parker	Wainwright
Chamberlain	Francis	Jacobs	Patton	Waters
Cole	Frisbie	Lansing	Phillips	Weber
Collins	Ganly	Lee	Prentice	Weimert
Colné	Garbe	Lewis	Ralston	Wells
Conklin	Glore	Loos	Reece	West
Conrady	Glynn	Lowe	Robinson	Whitley
Croak	Goldberg	Lupton	Rogers	Whitney F G
Cunningham	Gray	Maher	Schmidt	Whitney G H
Cuvillier	Green	Mallon	Schoeneck	Winters
De Groot	Gunderman	Mance	Schulz	Wood
Dominy	Hackett	Marlatt	Schwegler	Yale
Donnelly	Haines	Matthews	Sheridan	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Weimert moved to reconsider the vote by which Senate bill (No. 619, Rec. No. 266) entitled "An act to regulate transfers of goods in bulk," was recommitted to the committee on rules, and that said motion lie upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Schoeneck moved to take from the table the motion of Mr. Glynn to reconsider the vote by which Assembly bill (No. 2347, Int. No. 1699), entitled "An act to amend chapter six hundred and five of the Laws of eighteen hundred and ninety-eight, entitled 'An act to incorporate the Genesee River Company, and to authorize the said company to construct and use a dam or reservoir near Portageville for improving and preserving the public health, checking floods, furnishing water for the enlarged Erie canal and for municipal purposes, and developing, utilizing and disposing of the waters and water power of said river and its tributaries above and below said dam or reservoir,' generally," was passed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill having been announced, Mr. Schoeneck moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Merritt	Shuttleworth
Averill	Draper	Hamilton	Miller	Sinclair
Baldwin	Dudley	Hammond	Mills	Smith A E
Baumann	Duell	Hamn	Mooney	Smith C
Blue	Eagleton	Harper	Moreland	Stern
Boshart	Eggleston	Harris	Morgan	Stratton
Brady	Eichhorn	Hastings	Murphy G W	Surpluss

Brooks	Farrell	Hoey	Nevins	Todd
Brough	Ferguson	Holmes	Newton	Volk
Brown	Feth	Hooper	Northrup	Voss
Buckley	Filley	Hubbs	Norton	Waddell
Burhyte	Foley C F	Hurd	O'Brian	Wagner
Burns	Foley J A	Huth	Oliver	Wainwright
Cavanaugh	Fowler	Jackson	Parker	Waters
Chamberlain	Francis	Jacobs	Patton	Weber
Cole	Frisbie	Lansing	Phillips	Weimert
Collins	Ganly	Lee	Prentice	Wells
Colné	Garbe	Lewis	Ralston	West
Conklin	Geoghagan	Loos	Reece	Whitley
Conrady	Glore	Lowe	Robinson	Whitney F G
Croak	Glynn	Lupton	Rogers	Whitney G H
Cunningham	Goldberg	Maher	Schmidt	Winters
Cuvillier	Gray	Mallon	Schoeneck	Wood
De Groot	Green	Mance	Schulz	Yale
Dominy	Gunderman	Marlatt	Schwegler	Young
Donnelly	Hackett	Matthews	Sheridan	

Mr. Schoeneck moved that said bill be recommitted to the committee on the judiciary, with instructions to report the same forthwith amended as follows:

On page 7, lines 1 and 2, strike out the words "Easement or".

On page 7, line 15, strike out the words "Easements or", and insert instead thereof the word "and".

On page 9, line 18, after the words "any portion thereof" add the following: "And nothing contained in this act shall be construed as authorizing the said corporation to build or maintain any dam in or upon the said river, upon any part of the Letchworth property, so-called, except that the main dam and reservoir may be constructed and maintained at the site, several hundred feet up-stream from the Erie railroad bridge, above the upper falls, where authorized and located by the original act incorporating the Genesee River Company; nor shall anything contained herein be construed to authorize the said Genesee River Company to otherwise enter upon or to use any part of the said Letchworth property for any purpose whatever, excepting in so far as the storage, diversion, and utilization of the waters of the river and the change of the flow of the river may be considered a use of the said property, or a use of a right incident to the said property, and in this particular the Genesee River Company shall accept the powers and rights heretofore or hereby granted to it, upon condition that at all times hereafter it shall so exercise such powers and rights that at least one hundred cubic feet per second of water shall flow over the falls upon the said Letchworth property during all seasons of the year.

"The Supreme Court of the State of New York shall have the power to enforce these conditions at any time upon application of any authorized state official by mandatory injunction or other appropriate order or decree."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Rogers, from the committee on the judiciary, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication from the Governor was received and read, in the words following:

# STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, May 2, 1907.

*To the Assembly:*

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1379, Int. No. 596), entitled "An act to amend chapter five hundred and fifty-three of the laws of eighteen hundred and ninety-five, entitled 'An act in relation to the supreme court in the first judicial district and the appellant division thereof in the first department,' in relation to salary of clerks to justices".

CHARLES E. HUGHES.

Said bill having been announced, Mr. J. A. Foley moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Matthews	Sheridan
Averill	Draper	Hamilton	Merritt	Shuttleworth
Baldwin	Dudley	Hammond	Miller	Sinclair
Baumann	Duell	Hamn	Mills	Smith A E
Blue	Eagleton	Harper	Mooney	Smith C
Boshart	Eggleston	Harris	Moreland	Stern
Brady	Eichhorn	Hart	Morgan	Stratton
Brooks	Farrell	Hastings	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Voss
Burhyte	Foley C F	Hubbs	Norton	Waddell
Burns	Foley J A	Hurd	O'Brian	Wagner

Cavanaugh	Fowler	Huth	Oliver	Wainwright
Chamberlain	Francis	Jackson	Parker	Waters
Cole	Frisbie	Jacobs	Patton	Weber
Collins	Ganly	Lansing	Phillips	Weimert
Colné	Garbe	Lee	Prentice	Wells
Conklin	Geoghagan	Lewis	Ralston	West
Conrady	Glore	Loos	Reece	Whitley
Croak	Glynn	Lowe	Robinson	Whitney F G
Cunningham	Goldberg	Lupton	Rogers	Whitney G H
Cuvillier	Gray	Maher	Schmidt	Winters
De Groot	Green	Mallon	Schoeneck	Wood
Dominy	Gunderman	Mance	Schulz	Yale
Donnelly	Hackett	Marlatt	Schwegler	Young

Mr. J. A. Foley moved that said bill be recommitted to the committee on ways and means, with instructions to report the same forthwith amended as follows:

On page 2, line 9, strike out the bracket and the word "not" and insert on said line after the word "division" the words "or a majority of them".

On page 2, line 10, strike out the words "exceeding twenty-five] thirty-five hundred dollars per annum".

On page 3, lines 20 and 21, strike out the words "September thirtieth, nineteen hundred and seven" and insert in place thereof on line 20 after the word "effect" the word "immediately".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Moreland, from the committee on ways and means, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication from the Governor was received and read, in the words following:

## STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, April 26, 1907.

*To the Assembly:*

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1331, Int. No. 836), entitled "An act to amend chapter sixty-three of the laws of nineteen hundred and two, entitled 'An act to incorporate the city of Fulton,' relating to limitation of actions against the city".

CHARLES E. HUGHES.

Said bill having been announced, Mr. F. G. Whitney moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Apgar	Dowling	Haines	Matthews	Sheridan
Averill	Draper	Hamilton	Merritt	Shuttleworth
Baldwin	Dudley	Hammond	Miller	Sinclair
Baumann	Duell	Hamn	Mills	Smith A E
Blue	Eagleton	Harper	Mooney	Smith C
Boshart	Eggleston	Harris	Moreland	Stern
Brady	Eichhorn	Hart	Morgan	Stratton
Brooks	Farrell	Hastings	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Newton	Volk
Buckley	Filley	Hooper	Northrup	Voss
Burhyte	Foley C F	Hubbs	Norton	Waddell
Burns	Foley J A	Hurd	O'Brian	Wagner
Cavanaugh	Fowler	Huth	Oliver	Wainwright
Chamberlain	Francis	Jackson	Parker	Waters
Cole	Frisbie	Jacobs	Patton	Weber
Colins	Ganly	Lansing	Phillips	Weimert
Colné	Garbe	Lee	Prentice	Wells
Conklin	Geoghagan	Lewis	Ralston	West
Conrady	Glore	Loos	Reece	Whitley
Croak	Glynn	Lowe	Robinson	Whitney F G
Cunningham	Goldberg	Lupton	Rogers	Whitney G H
Cuvillier	Gray	Maher	Schmidt	Winters
De Groot	Green	Mallon	Schoeneck	Wood
Dominy	Gunderman	Mance	Schulz	Yale
Donnelly	Hackett	Marlatt	Schwegler	Young

Mr. F. G. Whitney moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 2, line 4, strike out the bracket.

Page 2, line 15, strike out the bracket.

Page 2, line 15, strike out the word "no" and the balance of the page, and on page 3 strike out line 1 and line 2 down to and including the word "diligence".

Page 3, line 9, strike out the words "The city shall" and the balance of the section down to and including the word "action" on page 4.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Dowling, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

By unanimous consent, Mr. Eggleston offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on rules be discharged from the further consideration of the bill (No. 2632, Int. No. 1841) entitled "An act to amend the Agricultural Law, in relation to the manufacture and sale of vinegar."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, Mr. Eggleston moved to amend as follows:

Page 3, line 2, after the word "package " insert "containing" and underscore the same.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Eggleston, said bill was ordered reprinted and recommitted to the committee on rules.

Mr. Gray offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1050, Senate reprint No. 1262, Int. No. 664), entitled "An act to amend the Election Law, in relation to changing election districts in certain towns," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Wells offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 919, Int. No. 547), entitled "An act to enable the fire commissioner of the city of New York to rehear and de-

termine the charges against William H. Weise, fireman of the first grade, for reinstatement in said department," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. C. F. Murphy offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1381, Senate reprint No. 1258, Int. No. 890), entitled "An act to amend the Penal Code, in relation to the punishment of children under sixteen years of age," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *May 2, 1907.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 830, Rec. No. 155), entitled "An act to amend the Greater New York charter, in relation to the presentation of claims against the city," for the purpose of transmitting same to the city of New York.

By order of the Senate,

LAFAYETTE B. GLEASON,  
*Clerk.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a mesage that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 1115, Rec. No. 214), entitled "An act to amend chapter one hundred and eighty-two of the laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,'" for the purpose of transmitting same to the city of Mount Vernon.

By order of the Senate,

LAFAYETTE B. GLEASON,

*Clerk.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the Assembly bill (No. 836, Senate reprint No. 1335, Int. No. 771) entitled "An act making appropriations for the State charitable institutions, the New York State School for the Blind, the Elmira Reformatory, and the Eastern New York Reformatory."

Also, Assembly bill (No. 1788, Senate reprint No. 1388, Int. No. 1408) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for trout in Livingston county."

Also, Assembly bill (No. 1562, Senate reprint No. 1418, Int. No. 1269) entitled "An act to amend the Revised Statutes, in relation to references in insolvent debtors' proceedings."

Also, Assembly bill (No. 2096, Senate reprint No. 1416, Int. No. 1243) entitled "An act to regulate the practice of medicine, and to repeal article eight of chapter six hundred and sixty-one of the Laws of eighteen hundred and ninety-three, and acts amendatory thereof."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the Assembly bill (No. 1727, Senate reprint No. 1413, Int. No. 848) entitled "An act to amend the Greater New York charter, relating to the office of coroner."

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the Assembly bill (No. 1389, Senate re-

print No. 1380, Int. No. 238) entitled "An act to amend the Greater New York charter, relative to punishment of persons causing fire in stovepipes, chimney or flue."

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the Assembly bill (No. 2122, Senate reprint No. 1389, Int. No. 1485) entitled "An act to amend chapter thirty-six of the Laws of eighteen hundred and seventy-three, entitled 'An act to provide for the supply of water in the city of Yonkers,' relative to the rate of interest of water bonds."

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Yonkers.

The Senate returned Assembly bill (No. 1521, Senate reprint No. 1386, Int. No. 1062) entitled "An act to amend title ten of chapter six hundred and thirty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Yonkers,' in relation to the care of sick and disabled poor in hospitals."

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Yonkers.

The Senate returned Assembly bill (No. 1697, Senate reprint No. 1381, Int. No. 1061) entitled "An act to amend chapter five hundred and ninety-six of the Laws of eighteen hundred and ninety-eight, entitled 'An act to amend chapter one hundred and sixty-three of the Laws of eighteen hundred and seventy-three, entitled "An act to organize and establish a police department for the city of Yonkers,"' generally."

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Yonkers.

The Senate returned the Assembly bill (No. 1041, Senate reprint No. 1384, Int. No. 704) entitled "An act to amend chapter six hundred and thirty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Yonkers,' relating to the expense for street improvement."

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Yonkers.

The Senate returned the Assembly bill (No. 2311, Senate reprint No. 1417, Int. No. 1561) entitled "An act to amend the

Greater New York charter, relative to the classification of criminals and misdemeanants."

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1381, Senate reprint No. 1258, Int. No. 890) entitled "An act to amend the Penal Code, in relation to the punishment of children under sixteen years of age," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for purposes of amendment, Assembly bill (No. 919, Int. No. 547) entitled "An act to enable the fire commissioner of the city of New York to rehear and determine the charges against William H. Weise, fireman of the first grade, for reinstatement in said department," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication from the Governor was received and read, in the words following:

### STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, May 1, 1907.

*To the Assembly:*

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 870, Senate reprint No. 1221, Int. No. 805), entitled "An act to provide for the paving and improvement of certain streets in the village of Green Island, Albany county, New York, and to provide for the method and means of paying thereof."

CHARLES E. HUGHES.

A communication was received from Hon. George T. Maxon, mayor of the city of Cortland, returning Assembly bill (No. 1547, Int. No. 1254) entitled "An act to provide for raising money for celebrating in nineteen hundred and eight the one hundredth anniversary of the formation of the county of Cortland,

and for establishing and correcting the historical and other public records of the county, and of the several towns, cities and villages therein," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Moreland, the House adjourned.

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### FRIDAY, MAY 3, 1907.

The House met pursuant to adjournment.

Prayer by Rev. Edgar Sutherland, East Schodack.

On motion of Mr. Phillips, the reading of the journal of yesterday was dispensed with, and the same was approved.

Mr. Hammond gives notice that he requests that Senate bill (No. 915, Rec. No. 241) entitled "An act to reappropriate money for the erection of a State armory and stable in the city of Syracuse as provided for by chapter seven hundred and forty-three of the Laws of nineteen hundred and five," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Mills gives notice that he requests that Assembly bill No. 2524, Int. No. 908) entitled "An act to amend the Forest, Fish and Game Law, in relation to issuing licenses for nets," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Apgar gives notice that he requests that Assembly bill (No. 2373, Int. No. 1711) entitled "An act to amend chapter one hundred and seventeen of the Laws of eighteen hundred and eighty-three, entitled 'An act to amend, consolidate and revise the charter of the village of Peekskill, and the several acts amendatory thereof,' in relation to the power and authority of the board of trustees," a copy of which is hereto annexed, be made a special

order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Dominy gives notice that he requests that Assembly bill (No. 2104, Int. No. 1579) entitled "An act to amend chapter two hundred and sixty-nine of the Laws of nineteen hundred and two, entitled 'An act to incorporate the city of Plattsburgh,' generally," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Fowler gives notice that he requests that Assembly bill (No. 1718, Int. No. 1360) entitled "An act to amend the Code of Civil Procedure, in relation to an executor's accounting in Surrogate's Court," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Fowler gives notice that he requests that Assembly bill (No. 2590, Int. No. 1696) entitled "An act to amend the Code of Civil Procedure, in relation to the Court of Claims," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Prentice gives notice that he requests that Assembly bill (No. 2289, Int. No. 1663) entitled "An act to amend the Public Health Law, in relation to adulteration and misbranding of foods," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. F. G. Whitney gives notice that he requests that Assembly bill (No. 2493, Int. No. 1553) entitled "An act to amend the Liquor Tax Law, in relation to excepting State hospitals from the prohibition as to places in which traffic in liquor shall not be permitted," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Hurd gives notice that he requests that Assembly bill (No. 2603, Int. No. 1821) entitled "An act to amend chapter thirty-seven of the Laws of nineteen hundred and one, as amended by chapter three hundred and fifty-one of the Laws of nineteen hundred and three, entitled 'An act authorizing appropriations by the board of supervisors of Rockland county for the support and maintenance of the inmates of the Nyack Hospital,' " a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Reece gives notice that he requests that Assembly bill (No. 2033, Int. No. 959) entitled "An act to amend the Greater New York charter, being chapter three hundred and seventy-eight of the Laws of eighteen hundred and ninety-seven, as amended by chapter four hundred and sixty-six of the Laws of nineteen hundred and one, relative to inspection of boilers and engines, and the qualification and licensing of engineers," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Prentice gives notice that he requests that Assembly bill (No. 2230, Int. No. 1638) entitled "An act to amend the Penal Code, in relation to the punishment for the crime of burglary," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

By unanimous consent, Mr. C. F. Murphy introduced a bill entitled "An act to amend chapter nine hundred and nine of the Laws of eighteen hundred and ninety-six, entitled 'An act in relation to the elections, constituting chapter six of the general laws,' generally" (Int. No. 1850), which was read the first time and referred to the committee on the judiciary.

By unanimous consent, Mr. Boshart introduced a bill entitled "An act to amend the Agricultural Law, in relation to the employment of persons having or who have been exposed to any contagious or infectious disease in any dairy or creamery or on any farm where milk is produced for sale or manufacture into any article of food and the sale of such articles of food" (Int. No.

1851), which was read the first time and referred to the committee on agriculture.

By unanimous consent, Mr. Hamn introduced a bill entitled "An act in relation to the construction of certain railroads where the property and franchises of the corporation organized to construct the same have been sold under foreclosure proceedings" (Int. No. 1852), which was read the first time and referred to the committee on railroads.

By unanimous consent, Mr. Rogers introduced a bill entitled "An act to amend the Tax Law, in relation to the assessment of State lands for school purposes" (Int. No. 1853), which was read the first time and referred to the committee on ways and means.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Mills (No. 2524, Int. No. 908), entitled "An act to amend the Forest, Fish and Game Law, in relation to issuing licenses for nets."

Also, Assembly bill introduced by Mr. Apgar (No. 2373, Int. No. 1711), entitled "An act to amend chapter one hundred and seventeen of the Laws of eighteen hundred and eighty-three, entitled 'An act to amend, consolidate and revise the charter of the village of Peekskill, and the several acts amendatory thereof,' in relation to the power and authority of the board of trustees."

Also, Assembly bill introduced by Mr. Dominy (No. 2104, Int. No. 1579), entitled "An act to amend chapter two hundred and sixty-nine of the Laws of nineteen hundred and two, entitled 'An act to incorporate the city of Plattsburgh,' generally."

Also, Assembly bill introduced by Mr. Fowler (No. 2590, Int. No. 1696), entitled "An act to amend the Code of Civil Procedure, in relation to the Court of Claims."

Also, Assembly bill introduced by Mr. Fowler (No. 1718, Int. No. 1360), entitled "An act to amend the Code of Civil Procedure, in relation to an executor's accounting in surrogate's court," reported in favor of the passage of the same without amendment, and that the same be made a special order on third reading immediately, which report was agreed to, and said bills ordered made special orders on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. White (No. 915, Rec. No.

241), entitled "An act to reappropriate money for the erection of a State armory and stable in the city of Syracuse as provided for by chapter seven hundred forty-three of the Laws of nineteen hundred and five," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bill ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Prentice (No. 2289, Int. No. 1663), entitled "An act to amend the Public Health Law, in relation to adulteration and misbranding of foods," reported the same with the following amendments:

Page 2, line 3, strike out the comma after the word "have".

Page 2, line 3, after the word "have" insert the following words: "in possession with intent to sell".

and requests that said bill be reprinted, as amended, and recommitted to said committee, which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. F. G. Whitney (No. 2468, Int. No. 1584), entitled "An act to amend the Liquor Tax Law, in relation to excepting State hospitals from the prohibition as to places in which traffic in liquor shall not be permitted," reported the same with the following amendment:

Page 2, line 5, after the word "hospital" insert the following words: "state soldiers' and sailors' home".

and requests that said bill be reprinted, as amended, and recommitted to said committee, which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Hurd (No. 2603, Int. No. 1821), entitled "An act to amend chapter thirty-seven of the Laws of nineteen hundred and one, as amended by chapter three hundred and fifty-one of the Laws of nineteen hundred and three, entitled 'An

act authorizing appropriations by the board of supervisors of Rockland county for the support and maintenance of the inmates of the Nyack Hospital,' " reported in favor of the passage of the same, with the following amendment:

Page 2, line 1, after the word "authorized" insert the words "in its discretion".

and that the same be reprinted, as amended, and when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bill ordered reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Reece (No. 2033, Int. No. 959), entitled "An act to amend the Greater New York charter, being chapter three hundred and seventy-eight of the Laws of eighteen hundred and ninety-seven, as amended by chapter four hundred and sixty-six of the Laws of nineteen hundred and one, relative to inspection of boilers and engines, and the qualification and licensing of engineers," reported in favor of the passage of the same, with the following amendments:

Page 4, line 16, after the word "steam" and before the word "for" insert the word "except".

Page 10, line 21, after the word "locomotive" strike out the word "engineers" and insert in place thereof the word "engines".

and that the same be reprinted, as amended, and when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported, which report was agreed to, and said bill ordered reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading im-

mediately after the consideration of the special orders on third reading theretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Prentice (No. 2230, Int. No. 1638), entitled "An act to amend the Penal Code, in relation to the punishment for the crime of burglary," retaining its place on the order of third reading, reported in favor of the passage of the same, with the following amendments:

Page 2, line 7, bracket the words "not less than ten".

Page 2, line 7, after the word "for" insert the following words "a term not exceeding forty".

and that the same be reprinted, as amended, and re-engrossed, and that when it shall have been on the desks of the members three calendar days it be made a special order on third reading immediately, which report was agreed to, and said bill ordered reprinted, as amended, and re-engrossed, and when it shall have been on the desks of the members three calendar legislative days it be made a special order on third reading immediately.

Mr. Speaker announced the special order, being the bill (No. 2579) entitled "An act fixing standards of purity, illuminating power and pressure of gas in cities of the second class." (Int. No. 1814.)

Said bill having been announced for second reading, Mr. Filley moved to amend as follows:

On page 2, line 8, strike out "on a basis of consumption of five cubic feet of gas per hour".

On page 2, line 12, after "a" strike out "seven-foot flat flame and insert "number seven slit union bray"; also, after "burner" insert ",-on a basis of consumption of five cubic feet of gas per hour".

On page 2, after line 24, insert a new section, to read as follows:

"§ 4. A violation of any of the provisions of this act shall constitute a misdemeanor."

On page 2, line 25, strike out "4" and insert "5".

On page 2, after line 26, insert "§ 6. This act shall take effect immediately."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to special order of second and third reading.

Mr. Speaker announced the special order, being the Senate bill (No. 915) entitled "An act to reappropriate money for the erection of a State armory and stable in the city of Syracuse, as provided for by chapter seven hundred forty-three of the Laws of nineteen hundred five." (Rec. No. 241.)

On motion of Mr. Hammond, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hamilton	Matthews	Schulz
Averill	Eggleston	Hammond	Merritt	Sheridan
Baldwin	Eichhorn	Hann	Mills	Shuttleworth
Baumann	Farrell	Harper	Moreland	Sinclair
Blue	Ferguson	Harris	Morgan	Smith C
Boshart	Feth	Hart	Murphy C F	Staley
Brown	Filley	Hoey	Murphy G W	Stevenson
Buckley	Foley C F	Holmes	Nevins	Stratton
Burhyte	Fowler	Hooper	Newton	Surpless
Burns	Francis	Hubbs	Norton	Volk
Cavanaugh	Frisbie	Hurd	O'Brian	Voss
Chamberlain	Ganly	Jacobs	Oliver	Waddell
Cole	Garbe	Keller	Parker	Wagner
Colné	Glore	Lansing	Patton	Walters
Conklin	Gluck	Lewis	Phillips	Waters
Conrady	Glynn	Lowe	Prince	Weimert
Cunningham	Goldberg	Lupton	Ralston	West
De Groot	Gray	Maher	Reece	Whitley
Dominy	Green	Mallon	Rogers	Whitney G H
Donnelly	Gunderman	Mance	Schmidt	Winters
Dowling	Haines	Marlatt	Schoeneck	Yale
Draper				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 2606) entitled "An act to amend chapter four hundred and sixty-eight of the Laws of nineteen hundred and one,

entitled 'An act to provide for the reimbursement of the expenses and disbursements paid and incurred by the several justices of the Supreme Court, who are designated as justices of the Appellate Division of that court,' by including compensation to trial justices relative to the payment of such expenses" (Int. No. 1121), was read the second time.

On motion of Mr. Patton, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2609) entitled "An act to provide for an additional supply of pure and wholesome water for the village of Peekskill; for the acquisition of lands or interests therein, and for the construction of the necessary reservoirs, dams and other appurtenances for that purpose" (Int. No. 1362), was read the second time.

On motion of Mr. Apgar, said bill was placed on the order of third reading and referred to the committee on revision.

Mr. Speaker announced the special order, being the bill (No. 2373) entitled "An act to amend chapter one hundred and seventeen of the Laws of eighteen hundred and eighty-three, entitled 'An act to amend, consolidate and revise the charter of the village of Peekskill, and the several acts amendatory thereof,' in relation to the power and authority of the board of trustees," (Int. No. 1711.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hamilton	Matthews	Schulz
Averill	Eggleston	Hammond	Merritt	Sheridan
Baldwin	Eichhorn	Hamn	Mills	Shuttleworth
Baumann	Farrell	Harper	Moreland	Sinclair
Blue	Ferguson	Harris	Morgan	Smith C
Boshart	Feth	Hart	Murphy C F	Staley

Brown	Filley	Hoey	Murphy G W	Stevenson
Buckley	Foley C F	Holmes	Nevins	Stratton
Burhyte	Fowler	Hooper	Newton	Surplless
Burns	Francis	Hubbs	Norton	Volk
Cavanaugh	Frisbie	Hurd	O'Brian	Voss
Chamberlain	Ganly	Jacobs	Oliver	Waddell
Cole	Garbe	Keller	Parker	Wagner
Colné	Glore	Lansing	Patton	Walters
Conklin	Gluck	Lewis	Phillips	Waters
Conrady	Glynn	Lowe	Prince	Weimert
Cunningham	Goldberg	Lupton	Ralston	West
De Groot	Gray	Maher	Reece	Whitley
Dominy	Green	Mallon	Rogers	Whitney G H
Donnelly	Gunderman	Mance	Schmidt	Winters
Dowling	Haines	Marlatt	Schoeneck	Yale
Draper				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2104) entitled "An act to amend chapter two hundred and sixty-nine of the Laws of nineteen hundred and two, entitled 'An act to incorporate the city of Plattsburgh,' generally." (Int. No. 1579.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hamilton	Matthews	Schulz
Averill	Eggleston	Hammond	Merritt	Sheridan
Baldwin	Eichhorn	Hamn	Mills	Shuttleworth
Baumann	Farrell	Harper	Moreland	Sinclair
Blue	Ferguson	Harris	Morgan	Smith C
Boshart	Feth	Hart	Murphy C F	Staley
Brown	Filley	Hoey	Murphy G W	Stevenson
Buckley	Foley C F	Holmes	Nevins	Stratton
Burhyte	Fowler	Hooper	Newton	Surplless
Burns	Francis	Hubbs	Norton	Volk
Cavanaugh	Frisbie	Hurd	O'Brian	Voss
Chamberlain	Ganly	Jacobs	Oliver	Waddell
Cole	Garbe	Keller	Parker	Wagner
Colné	Glore	Lansing	Patton	Walters
Conklin	Gluck	Lewis	Phillips	Waters

Conrady	Glynn	Lowe	Prince	Weimert
Cunningham	Goldberg	Lupton	Ralston	West
De Groot	Gray	Maher	Reece	Whitley
Dominy	Green	Mallon	Rogers	Whitney G H
Donnelly	Gunderman	Mance	Schmidt	Winters
Dowling	Haines	Marlatt	Schoeneck	Yale
Draper				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2590) entitled "An act to amend the Code of Civil Procedure, in relation to the Court of Claims." (Int. No. 1696.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hamilton	Matthews	Schulz
Averill	Eggleston	Hammond	Merritt	Sheridan
Baldwin	Eichhorn	Hamn	Mills	Shuttleworth
Baumann	Farrell	Harper	Moreland	Sinclair
Blue	Ferguson	Harris	Morgan	Smith C
Boshart	Feth	Hart	Murphy C F	Staley
Brown	Filley	Hoey	Murphy G W	Stevenson
Buckley	Foley C F	Holmes	Nevins	Stratton
Burhyte	Fowler	Hooper	Newton	Surpless
Burns	Francis	Hubbs	Norton	Volk
Cavanaugh	Frisbie	Hurd	O'Brian	Voss
Chamberlain	Ganly	Jacobs	Oliver	Waddell
Cole	Garbe	Keller	Parker	Wagner
Colné	Glore	Lansing	Patton	Walters
Conklin	Gluck	Lewis	Phillips	Waters
Conrady	Glynn	Lowe	Prince	Weimert
Cunningham	Goldberg	Lupton	Ralston	West
De Groot	Gray	Maher	Reece	Whitley
Dominy	Green	Mallon	Rogers	Whitney G H
Donnelly	Gunderman	Mance	Schmidt	Winters
Dowling	Haines	Marlatt	Schoeneck	Yale
Draper				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1718) entitled "An act to amend the Code of Civil Procedure, in relation to an executor's accounting in Surrogate's Court." (Int. No. 1360.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hamilton	Matthews	Schulz
Averill	Eggleston	Hammond	Merritt	Sheridan
Baldwin	Eichhorn	Hamn	Mills	Shuttleworth
Baumann	Farrell	Harper	Moreland	Sinclair
Blue	Ferguson	Harris	Morgan	Smith C
Boshart	Feth	Hart	Murphy C F	Staley
Brown	Filley	Hoey	Murphy G W	Stevenson
Buckley	Foley C F	Holmes	Nevins	Stratton
Burhyte	Fowler	Hooper	Newton	Surpless
Burns	Francis	Hubbs	Norton	Volk
Cavanaugh	Frisbie	Hurd	O'Brian	Voss
Chamberlain	Ganly	Jacobs	Oliver	Waddell
Cole	Garbe	Keller	Parker	Wagner
Colné	Glore	Lansing	Patton	Walters
Conklin	Gluck	Lewis	Phillips	Waters
Conrady	Glynn	Lowe	Prince	Weimert
Cunningham	Goldberg	Lupton	Ralston	West
De Groot	Gray	Maher	Reece	Whitley
Dominy	Green	Mallon	Rogers	Whitney G H
Donnelly	Gunderman	Mance	Schmidt	Winters
Dowling	Haines	Marlatt	Schoeneck	Yale
Draper				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2524) entitled "An act to amend the Forest, Fish and Game Law, in relation to issuing licenses for nets." (Int. No. 908.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106  
NOES 00

Those who voted in the affirmative were:

Apgar	Dudley	Hamilton	Matthews	Schulz
Averill	Eggleston	Hammond	Merritt	Sheridan
Baldwin	Eichhorn	Hamn	Mills	Shuttleworth
Baumann	Farrell	Harper	Moreland	Sinclair
Blue	Ferguson	Harris	Morgan	Smith C
Boshart	Feth	Hart	Murphy C F	Staley
Brown	Filley	Hoey	Murphy G W	Stevenson
Buckley	Foley C F	Holmes	Nevins	Stratton
Burhyte	Fowler	Hooper	Newton	Surpluss
Burns	Francis	Hubbs	Norton	Volk
Cavanaugh	Frisbie	Hurd	O'Brian	Voss
Chamberlain	Ganly	Jacobs	Oliver	Waddell
Cole	Garbe	Keller	Parker	Wagner
Colné	Glore	Lansing	Patton	Walters
Conklin	Gluck	Lewis	Phillips	Waters
Conrady	Glynn	Lowe	Prince	Weimert
Cunningham	Goldberg	Lupton	Ralston	West
De Groot	Gray	Maher	Reece	Whitley
Dominy	Green	Mallon	Rogers	Whitney G H
Donnelly	Gunderman	Mance	Schmidt	Winters
Dowling	Haines	Marlatt	Schoeneck	Yale
Draper				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Weimert offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1637, Senate reprint No. 1259, Int. No. 1082), entitled "An act to amend the Primary Election Law, in relation to excepting first, second and certain third class cities from special enrollment and changing date when enrollment books shall be delivered," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *May 3, 1907.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 1137, Rec. No. 276), entitled "An act to incorporate the Long Sault Development Company, and to authorize said company to construct and maintain dams, canals, power-houses and locks at or near Long Sault Island, for the purpose of improving the navigation of the Saint Lawrence river and developing power from the waters thereof, and to construct and maintain a bridge, and carry on the manufacture of commodities," for the purpose of amendment.

By order of the Senate,

LAFAYETTE B. GLEASON,  
*Clerk.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *May 3, 1907.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 1065, Rec. No. 251), entitled "An act to release to Margaretha Ansay all the right, title and interest of the people of the State of New York, in and to certain real estate situate in the city of Buffalo, county of Erie and State of New York, acquired by escheat or otherwise upon the death of Hyronimus Wagner," for the purpose of amendment.

By order of the Senate,

LAFAYETTE B. GLEASON,  
*Clerk.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate,

with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *May 3, 1907.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 989, Rec. No. 208), entitled "An act to amend chapter three hundred and fifteen of the Laws of eighteen hundred and ninety-five, entitled 'An act to amend and consolidate the several acts relating to the village of Ilion,' relative to salaries of policemen," for the purpose of amendment.

By order of the Senate,

LAFAYETTE B. GLEASON,  
*Clerk.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *May 3, 1907.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 764, Rec. No. 195), entitled "An act to incorporate the Hebrew Free Loan Association," for the purpose of amendment.

By order of the Senate,

LAFAYETTE B. GLEASON,  
*Clerk.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1050, Senate reprint No. 1262, Int. No. 664), entitled "An act

to amend the Election Law, in relation to changing election districts in certain towns," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1637, Senate reprint No. 1259, Int. No. 1082), entitled "An act to amend the Primary Election Law, in relation to excepting first, second and certain third class cities from special enrollment and changing date when enrollment books shall be delivered," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

On motion of Mr. Phillips, the House adjourned.

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### MONDAY, MAY 6, 1907.

The House met pursuant to adjournment.

Prayer by Rev. Charles W. Heisler.

On motion of Mr. Moreland, the reading of the journal of Friday, May 3, 1907, was dispensed with, and the same was approved.

Mr. C. F. Foley gives notice that he requests that Assembly bill (No. 2604, Int. No. 1822) entitled "An act to amend chapter one hundred and twenty of the Laws of eighteen hundred and eighty-six, entitled 'An act to revise the charter of the city of Lockport,' in relation to the police and fire departments," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Prentice gives notice that he requests that Assembly bill (No. 2620, Int. No. 1388) entitled "An act to amend the Penal Code, relative to the admission of children under sixteen years

of age to places of public amusement," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Wells gives notice that he requests that Assembly bill (No. 1104, Int. No. 962) entitled "An act for the relief of the Sydenham Post Graduate Course and Hospital, by legalizing the acts of its members and directors, the election of its directors, and the enactment of its constitution and by-laws," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Averill gives notice that he requests that Assembly bill (No. 2225, Int. No. 1633) entitled "An act to secure sufficient water in the barge canal between Lake Erie and the Genesee river," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Matthews gives notice that he requests that Assembly bill (No. 2286, Int. No. 1660) entitled "An act in relation to towns, which, in the year nineteen hundred and six, failed to assess poll taxes as required by section fifty-three of the Highway Law," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. DeGroot gives notice that he requests that Assembly bill (No. 2190, Int. No. 1627) entitled "An act to legalize the marriage of George W. Beatty and Lydia Welk and to legitimize the children of such marriage," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Fowler gives notice that he requests that Assembly bill (No. 2548, Int. No. 1078) entitled "An act to amend chapter two hundred and sixty-two of the Laws of eighteen hundred and fifty-five, entitled 'An act revising and amending an act, entitled

"An act to incorporate the village of Saugerties," in relation to the salary of clerks,' " a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. C. F. Foley gives notice that he requests that Assembly bill (No. 2600, Int. No. 969) entitled "An act to revise the charter of the city of North Tonawanda," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Stratton gives notice that he requests that Assembly bill (No. 2384, Int. No. 1340) entitled "An act to amend the Agricultural Law, in relation to additional sanitary requirements as to dairy products," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

By unanimous consent, Mr. Ferguson introduced a bill entitled "An act to amend chapter two hundred and sixty-six of the Laws of nineteen hundred and three, entitled 'An act to provide for the holding of town meetings and elections in counties of the State having a certain population,' in relation to the time when town officers shall take office, compensation of certain committees and supervisors of such counties" (Int. No. 1854), which was read the first time and referred to the committee on internal affairs.

By unanimous consent, Mr. C. F. Foley introduced a bill entitled "An act to amend the Railroad Law, relative to the transportation of freight" (Int. No. 1855), which was read the first time and referred to the committee on railroads.

By unanimous consent, Mr. Waddell introduced a bill entitled "An act to amend chapter five hundred and sixty-six of the Laws of eighteen hundred and ninety, entitled 'An act in relation to transportation corporations excepting railroad, constituting chapter forty of the general laws,' as amended by chapter six hundred and seventy-eight of the Laws of eighteen hundred and ninety-six, in relation to town contracts with water corporations "

(Int. No. 1856), which was read the first time and referred to the committee on the judiciary.

By unanimous consent, Mr. Gray introduced a bill entitled "An act to legalize and confirm the acts and proceedings of the trustees and voters of union free school district number one, town of Hammond, St. Lawrence county, New York, relative to certain tax and issue and sale of certain bonds of said district" (Int. No. 1857), which was read the first time and referred to the committee on internal affairs.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. C. F. Foley (No. 2604, Int. No. 1822), entitled "An act to amend chapter one hundred and twenty of the Laws of eighteen hundred and eighty-six, entitled 'An act to revise the charter of the city of Lockport,' in relation to the police and fire departments."

Also, Assembly bill introduced by Mr. Prentice (No. 2620, Int. No. 1388), entitled "An act to amend the Penal Code, relative to the admission of children under sixteen years of age to places of public amusement."

Also, Assembly bill introduced by Mr. Wells (No. 1104, Int. No. 962), entitled "An act for the relief of the Sydenham Post Graduate Course and Hospital, by legalizing the acts of its members and directors, the election of its directors, and the enactment of its constitution and by-laws," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bill ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Averill (No. 2225, Int. No. 1633), entitled "An act to secure sufficient water in the barge canal between Lake Erie and the Genesee river."

Also, Assembly bill introduced by Mr. Matthews (No. 2286, Int. No. 1660), entitled "An act in relation to towns, which, in

the year nineteen hundred and six, failed to assess poll taxes as required by section fifty-three of the Highway Law."

Also, Assembly bill introduced by Mr. DeGroot (No. 2190, Int. No. 1627), entitled "An act to legalize the marriage of George W. Beatty and Lydia Welk and to legitimize the children of such marriage."

Also, Assembly bill introduced by Mr. Fowler (No. 2548, Int. No. 1078), entitled "An act to amend chapter two hundred and sixty-two of the Laws of eighteen hundred and fifty-five, entitled 'An act revising and amending an act, entitled "An act to incorporate the village of Saugerties,"' in relation to the salary of clerk."

Also, Assembly bill introduced by Mr. C. F. Foley (No. 2600, Int. No. 969), entitled "An act to revise the charter of the city of North Tonawanda."

Also, Assembly bill introduced by Mr. Stratton (No. 2384, Int. No. 1340), entitled "An act to amend the Agricultural Law, in relation to additional sanitary requirements as to dairy products," reported in favor of the passage of the same without amendment, and that the same be made a special order on third reading immediately; which report was agreed to, and said bills ordered made special orders on third reading immediately.

Mr. West, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Greater New York charter as re-enacted by chapter four hundred and sixty-six of the Laws of nineteen hundred and one relative to the police force." (No. 1464, Int. No. 1212.)

"An act to revise, amend and consolidate the various acts relating to the village of Lyons, in the county of Wayne, and to repeal certain acts and parts of acts affecting such village." (No. 2495, Int. No. 1761.)

"An act in relation to probation in the State of New York, constituting chapter fifty-two of the general laws." (No. 2403, Int. No. 1389.)

"An act to amend the Code of Civil Procedure, in relation to the Court of Claims." (No. 2590, Int. No. 1696.)

"An act to amend chapter two hundred and sixty-nine of the Laws of nineteen hundred and two, entitled 'An act to incorporate the city of Plattsburgh,' generally." (No. 2104, Int. No. 1579.)

"Concurrent resolution of the Senate and Assembly proposing an amendment to section ten of article eight of the Constitution, relating to the limitation of indebtedness of counties, cities, towns and villages, by excepting cities of the second class from the provisions of said section after the first day of January, nineteen hundred and eight." (No. 1043, Int. No. 918.)

"An act to amend chapter six hundred and sixty-six of the Laws of eighteen hundred and ninety-three, entitled 'An act to revise, amend and consolidate the several acts relating to the village of Canandaigua, and to repeal certain acts and parts of acts,' and the acts amendatory thereof, in relation to payment of village accounts, powers and duties of the board of street and sewer commissioners, and the village trustees in relation to care and improvement of pier and basin." (No. 2569, Int. No. 1804.)

"An act to amend the Greater New York charter, in relation to the terms of appointment of clerks and assistant clerks of the Municipal Court." (No. 2395, Int. No. 569.)

"An act to amend the Code of Civil Procedure, in relation to an appellate term of the Supreme Court in certain boroughs of the city of New York." (No. 1219, Int. No. 1056.)

"An act to amend the Revised Statutes, relative to the parole of prisoners from State prisons." (No. 2114, Int. No. 1025.)

"An act to amend the Legislative Law, generally." (No. 2529, Int. No. 1735.)

"An act to make the office of the county clerk of Schenectady county a salaried office and regulating the management of said office." (No. 2536, Int. No. 1789.)

"An act to amend chapter four hundred and seventy-nine of the Laws of nineteen hundred and three, entitled 'An act for the improvement and repair of streets and roads in Yonkers that have existed as public streets for twenty years, and to issue bonds for the payment thereof.'" (No. 2433, Int. No. 1739.)

"An act to authorize the commissioners of the sinking fund of the city of New York to refund certain moneys paid for taxes for the years nineteen hundred and one, nineteen hundred and two and nineteen hundred and three, affecting property situate in the borough of Brooklyn, in the city of New York, now belonging to and upon which is erected the church edifice of the Fourth Unitarian Congregational Church of Brooklyn." (No. 2576, Int. No. 1811.)

"An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' relating to the official printing of said city." (No. 2336, Int. No. 1694.)

"An act making an appropriation to aid in the purchase of the site of the birthplace of the State of New York." (No. 1668, Int. No. 1336.)

"An act to amend section eight hundred and fifty-nine of the Greater New York charter, relative to wharfage rates on harbor lighters and other vessels at the port of New York." (No. 2382, Int. No. 456.)

"An act authorizing the Commissioners of the Land Office to convey a tract of land situated at Kings Park, in the town of Smithtown, Suffolk county, and forming part of the lands of the Kings Park State Hospital, in exchange for certain other land situated at Kings Park, in the town of Smithtown, Suffolk county, for the use of the said Kings Park State Hospital." (No. 2348, Int. No. 1700.)

"An act making an appropriation of moneys collected and due from racing associations for the promotion of agriculture." (No. 2484, Int. No. 1765.)

"An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain taxes, assessments and water rates now existing liens against and affecting property situated in the borough of Brooklyn, city of New York, belonging to Saint Malachy's Roman Catholic Church." (No. 2483, Int. No. 1764.)

"An act to amend the Forest, Fish and Game Law, in relation to issuing licenses for nets." (No. 2524, Int. No. 908.)

“An act to amend chapter three hundred and sixty of the Laws of eighteen hundred and ninety-seven, entitled ‘An act to incorporate the city of Geneva,’ in relation to bonds and taxation for extraordinary expenditures.” (No. 2568, Int. No. 1803.)

“An act to amend chapter one hundred and seventeen of the Laws of eighteen hundred and eighty-three, entitled ‘An act to amend, consolidate and revise the charter of the village of Peekskill, and the several acts amendatory thereof,’ in relation to the power and authority of the board of trustees.” (No. 2373, Int. No. 1711.)

“An act to amend the Code of Civil Procedure, in relation to the power and authority of the board of trustees.” (No. 2373, Int. No. 1711.)

“An act to amend the Code of Civil Procedure, in relation to an executor’s accounting in Surrogate’s Court.” (No. 1718, Int. No. 1360.)

Mr. Speaker announced the special order, being the bill (No. 2531) entitled “An act to authorize the city of Mount Vernon to issue bonds for the purpose of defraying a deficiency in the police fund for the fiscal year beginning May first, nineteen hundred and seven.” (Int. No. 1784.)

Said bill having been announced for a second reading,

On motion of Mr. Duell, and by unanimous consent, said bill was made a special order on second and third reading for Tuesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 2604) entitled “An act to amend chapter one hundred and twenty of the Laws of eighteen hundred and eighty-six, entitled ‘An act to revise the charter of the city of Lockport,’ in relation to the police and fire departments.” (Int. No. 1822.)

On motion of Mr. C. F. Foley, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hammond	Miller	Sinclair
Averill	Dudley	Hamn	Mills	Smith A E
Baldwin	Duell	Harper	Mooney	Smith C
Baumann	Eagleton	Harris	Moreland	Smith Myron
Blue	Eggleston	Hart	Morgan	Stern
Boshart	Eichhorn	Hastings	Murphy G W	Stevenson
Brady	Farrell	Hoey	Nevins	Stratton
Brooks	Ferguson	Holmes	Newton	Surpless
Brough	Feth	Hooper	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Foley C F	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jackson	Parker	Wagner
Cavanaugh	Francis	Jacobs	Patton	Wainwright
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Ralston	Weimert
Colné	Geoghagan	Loos	Reece	Wells
Conklin	Glore	Lowe	Robinson	West
Conrady	Glynn	Lupton	Rogers	Whitley
Croak	Goldberg	Maher	Schmidt	Whitney F G
Cunningham	Gray	Mallon	Schoeneck	Whitney G H
Cuvillier	Green	Mance	Schulz	Winters
De Groot	Gunderman	Marlatt	Schwegler	Wood
Dominy	Hackett	Matthews	Sheridan	Yale
Donnelly	Haines	Merritt	Shuttleworth	Young
Dowling	Hamilton			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2620) entitled "An act to amend the Penal Code, relative to the admission of children under sixteen years of age to places of public amusement." (Int. No. 1388.)

On motion of Mr. Prentice, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hammond	Miller	Sinclair
Averill	Dudley	Hamn	Mills	Smith A E,
Baldwin	Duell	Harper	Mooney	Smith C
Baumann	Eagleton	Harris	Moreland	Smith Myron
Blue	Eggleston	Hart	Morgan	Stern
Boshart	Eichhorn	Hastings	Murphy G W	Stevenson
Brady	Farrell	Hoe	Nevins	Stratton
Brooks	Ferguson	Holmes	Newton	Surpless
Brough	Feth	Hooper	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Foley C F	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jackson	Parker	Wagner
Cavanaugh	Francis	Jacobs	Patton	Wainwright
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Ralston	Weimert
Colné	Geoghagan	Loos	Reece	Wells
Conklin	Glore	Lowe	Robinson	West
Conrady	Glynn	Lupton	Rogers	Whitley
Croak	Goldberg	Maher	Schmidt	Whitney F G
Cunningham	Gray	Mallon	Schoeneck	Whitney G H
Cuvillier	Green	Mance	Schulz	Winters
De Groot	Gunderman	Marlatt	Schwegler	Wood
Dominy	Hackett	Matthews	Sheridan	Yale
Donnelly	Haines	Merritt	Shuttleworth	Young
Dowling	Hamilton			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1104) entitled "An act for the relief of the Sydenham Post Graduate Course and Hospital, by legalizing the acts of its members and directors, the election of its directors, and the enactment of its constitution and by-laws." (Int. No. 962.)

On motion of Mr. Wells, said bill was read the second time and ordered to a third reading.

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hammond	Miller	Sinclair
Averill	Dudley	Hamn	Mills	Smith A E
Baldwin	Duell	Harper	Mooney	Smith C
Baumann	Eagleton	Harris	Moreland	Smith Myron
Blue	Eggleston	Hart	Morgan	Stern
Boshart	Eichhorn	Hastings	Murphy G W	Stevenson
Brady	Farrell	Hoey	Nevins	Stratton
Brooks	Ferguson	Holmes	Newton	Surpless
Brough	Feth	Hooper	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Foley C F	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jackson	Parker	Wagner
Cavanaugh	Francis	Jacobs	Patton	Wainwright
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Ralston	Weimert
Colné	Geoghagan	Loos	Reece	Wells
Conklin	Glore	Lowe	Robinson	West
Conrady	Glynn	Lupton	Rogers	Whitley
Croak	Goldberg	Maher	Schmidt	Whitney F G
Cunningham	Gray	Mallon	Schoeneck	Whitney G H
Cuvillier	Green	Mance	Schulz	Winters
De Groot	Gunderman	Marlatt	Schwegler	Wood
Dominy	Hackett	Matthews	Sheridan	Yale
Donnelly	Haines	Merritt	Shuttleworth	Young
Dowling	Hamilton			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2225) entitled "An act to secure sufficient water in the barge canal between Lake Erie and the Genesee river." (Int. No. 1633.)

Said bill having been announced for a third reading,

On motion of Mr. Averill, and by unanimous consent, said bill was made a special order on third reading for Tuesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 2286) entitled "An act in relation to towns, which, in the year nineteen hundred and six, failed to assess poll taxes as required by section fifty-three of the Highway Law." (Int. No. 1660.)

Said bill was read the third time, having been printed

and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hammond	Miller	Sinclair
Averill	Dudley	Hamn	Mills	Smith A E
Baldwin	Duell	Harper	Mooney	Smith C
Baumann	Eagleton	Harris	Moreland	Smith Myron
Blue	Eggleston	Hart	Morgan	Stern
Boshart	Eichhorn	Hastings	Murphy G W	Stevenson
Brady	Farrell	Hoev	Nevins	Stratton
Brooks	Ferguson	Holmes	Newton	Surpless
Brough	Feth	Hooper	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Foley C F	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jackson	Parker	Wagner
Cavanaugh	Francis	Jacobs	Patton	Wainwright
Chamberlain	Frishie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Ralston	Weimert
Colné	Geoghagan	Loos	Reece	Wells
Conklin	Glore	Lowe	Robinson	West
Conrady	Glynn	Lupton	Rogers	Whitley
Croak	Goldberg	Maher	Schmidt	Whitney F G
Cunningham	Gray	Mallon	Schoeneck	Whitney G H
Cuvillier	Green	Mance	Schulz	Winters
De Groot	Gunderman	Marlatt	Schwegler	Wood
Dominy	Hackett	Matthews	Sheridan	Yale
Donnelly	Haines	Merritt	Shuttleworth	Young
Dowling	Hamilton			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2190) entitled "An act to legalize the marriage of George W. Beatty and Lydia Welk, and to legitimize the children of such marriage." (Int. No. 1627.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hammond	Miller	Sinclair
Averill	Dudley	Hamn	Mills	Smith A E
Baldwin	Duell	Harper	Mooney	Smith C
Baumann	Eagleton	Harris	Moreland	Smith Myron
Blue	Eggleston	Hart	Morgan	Stern
Boshart	Eichhorn	Hastings	Murphy G W	Stevenson
Brady	Farrell	Hoey	Nevins	Stratton
Brooks	Ferguson	Holmes	Newton	Surpless
Brough	Feth	Hooper	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Foley C F	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jackson	Parker	Wagner
Cavanaugh	Francis	Jacobs	Patton	Wainwright
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Ralston	Weimert
Colné	Geoghagan	Loos	Reece	Wells
Conklin	Glore	Lowe	Robinson	West
Conrady	Glynn	Lupton	Rogers	Whitley
Croak	Goldberg	Maher	Schmidt	Whitney F G
Cunningham	Gray	Mallon	Schoeneck	Whitney G H
Cuvillier	Green	Mance	Schulz	Winters
De Groot	Gunderman	Marlatt	Schwegler	Wood
Dominy	Hackett	Matthews	Sheridan	Yale
Donnelly	Haines	Merritt	Shuttleworth	Young
Dowling	Hamilton			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2548) entitled "An act to amend chapter two hundred and sixty-two of the Laws of eighteen hundred and fifty-five, entitled 'An act revising and amending an act, entitled "An act to incorporate the village of Saugerties,"' in relation to the salary of clerk." (Int. No. 1078).

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hammond	Miller	Sinclair
Averill	Dudley	Hamn	Mills	Smith A E
Baldwin	Duell	Harper	Mooney	Smith C
Baumann	Eagleton	Harris	Moreland	Smith Myron
Blue	Eggleston	Hart	Morgan	Stern
Boshart	Eichhorn	Hastings	Murphy G W	Stevenson
Brady	Farrell	Hoey	Nevins	Stratton
Brooks	Ferguson	Holmes	Newton	Surpless
Brough	Feth	Hooper	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Foley C F	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jackson	Parker	Wagner
Cavanaugh	Francis	Jacobs	Patton	Wainwright
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Ralston	Weimert
Colné	Geoghagan	Loos	Reece	Wells
Conklin	Glore	Lowe	Robinson	West
Conrady	Glynn	Lupton	Rogers	Whitley
Croak	Goldberg	Maher	Schmidt	Whitney F G
Cunningham	Gray	Mallon	Schoeneck	Whitney G H
Cuvillier	Green	Mance	Schulz	Winters
De Groot	Gunderman	Marlatt	Schwegler	Wood
Dominy	Hackett	Matthews	Sheridan	Yale
Donnelly	Haines	Merritt	Shuttleworth	Young
Dowling	Hamilton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same, and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the bill (No. 2600) entitled "An act to revise the charter of the city of North Tonawanda." (Int. No. 969.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hammond	Miller	Sinclair
Averill	Dudley	Hamn	Mills	Smith A E
Baldwin	Duell	Harper	Mooney	Smith C
Baumann	Eagleton	Harris	Moreland	Smith Myron
Blue	Eggleston	Hart	Morgan	Stern
Boshart	Eichhorn	Hastings	Murphy G W	Stevenson
Brady	Farrell	Hoey	Nevins	Stratton
Brooks	Ferguson	Holmes	Newton	Surpless
Brough	Feth	Hooper	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Foley C F	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jackson	Parker	Wagner
Cavanaugh	Francis	Jacobs	Patton	Wainwright
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Ralston	Weimert
Colné	Geoghagan	Loos	Reece	Wells
Conklin	Glore	Lowe	Robinson	West
Conrady	Glynn	Lupton	Rogers	Whitley
Croak	Goldberg	Maher	Schmidt	Whitney F G
Cunningham	Gray	Mallon	Schoeneck	Whitney G H
Cuvillier	Green	Mance	Schulz	Winters
De Groot	Gunderman	Marlatt	Schwegler	Wood
Dominy	Hackett	Matthews	Sheridan	Yale
Donnelly	Haines	Merritt	Shuttleworth	Young
Dowling	Hamilton			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2384) entitled "An act to amend the Agricultural Law, in relation to additional sanitary requirements as to dairy products." (Int. No. 1340.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hammond	Miller	Sinclair
Averill	Dudley	Hamn	Mills	Smith A E
Baldwin	Duell	Harper	Mooney	Smith C

Baumann	Eagleton	Harris	Moreland	Smith Myron
Blue	Eggleston	Hart	Morgan	Stern
Boshart	Eichhorn	Hastings	Murphy G W	Stevenson
Brady	Farrell	Hoey	Nevins	Stratton
Brooks	Ferguson	Holmes	Newton	Surpless
Brough	Feth	Hooper	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Foley C F	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jackson	Parker	Wagner
Cavanaugh	Francis	Jacobs	Patton	Wainwright
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Ralston	Weimert
Colné	Geoghagan	Loos	Reece	Wells
Conklin	Glore	Lowe	Robinson	West
Conrady	Glynn	Lupton	Rogers	Whitley
Croak	Goldberg	Maher	Schmidt	Whitney F G
Cunningham	Gray	Mallon	Schoeneck	Whitney G H
Cuvillier	Green	Mance	Schulz	Winters
De Groot	Gunderman	Marlatt	Schwegler	Wood
Dominy	Hackett	Matthews	Sheridan	Yale
Donnelly	Haines	Merritt	Shuttleworth	Young
Dowling	Hamilton			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2610) entitled "An act to amend the Agricultural Law, in relation to the sale and transportation of adulterated and misbranded foods, and regulating traffic therein." (Int. No. 1540.)

Said bill having been announced for third reading,

Mr. Merritt moved that said bill be recommitted to the committee on agriculture, with instructions to report the same forthwith amended as follows:

Page 3, line 24, after "ingredient" insert "." and strike out "or other ingredient".

Page 5, line 20, change "article" to "articles".

Page 5, line 24, strike out entire line.

Page 5, line 25, strike out "170" and insert "169".

Page 6, line 1, strike out "171" and insert "170".

Page 6, line 2, strike out entire line.

Page 6, line 3, strike out "173" and insert "171".

Page 8, line 3, change "substance" to "substances".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Boshart, from the committee on agriculture, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication from the Governor was received and read, in the words following:

# STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, May 3, 1907.

*To the Assembly:*

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1381, Senate reprint No. 1258, Int. No. 890) entitled "An act to amend the Penal Code, in relation to the punishment of children under sixteen years of age."

CHARLES E. HUGHES.

Said bill having been announced, Mr. C. F. Murphy moved to reconsider the vote by which said bill was passed. Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Apgar	Draper	Hammon 1	Miller	Sinclair
Averill	Dudley	Hamn	Mills	Smith A E
Baldwin	Duell	Harper	Mooney	Smith C
Baumann	Eagleton	Harris	Moreland	Smith Myron
Blue	Eggleston	Hart	Morgan	Stern
Boshart	Eichhorn	Hastings	Murphy G W	Stevenson
Brady	Farrell	Hoey	Nevins	Stratton
Brooks	Ferguson	Holmes	Newton	Surpless
Brough	Feth	Hooper	Northrup	Todd
Brown	Filley	Hubbs	Norton	Volk
Buckley	Foley C F	Hurd	O'Brian	Voss
Burhyte	Foley J A	Huth	Oliver	Waddell
Burns	Fowler	Jackson	Parker	Wagner
Cavanaugh	Francis	Jacobs]	Patton	Wainwright
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prentice	Weber
Collins	Garbe	Lewis	Ralston	Weimert
Colné	Geoghagan	Loos	Reece	Wells
Conklin	Glore	Lowe	Robinson	West
Conrad	Glynn	Lupton	Rogers	Whitley
Croak	Goldberg	Maher	Schmidt	Whitney F G
Cunningham	Gray	Mallon	Schoeneck	Whitney G H
Cuvillier	Green	Mance	Schulz	Winters
De Groot	Gunderman	Marlatt	Schwegler	Wood
Dominy	Hackett	Matthews	Sheridan	Yale
Donnelly	Haines	Merritt	Shuttleworth	Young
Dowling	Hamiltor			

Mr. C. F. Murphy moved that said bill be recommitted to the committee on codes, with instructions to report the same forthwith amended as follows:

Page 2, line 8, insert words " of a crime for which, if the child were an adult the penalty for the conviction could be ten years' imprisonment or less ", after the word " years " and before word " shall ".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Phillips, from the committee on codes, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Oliver offered for the consideration of the House a resolution, in the words following:

Whereas, The Railroad Commissioners, pursuant to a resolution, have transmitted to this Assembly the answers of the officers of the New York Central and Hudson River Railroad Company, through the vice-president, Mr. Wilgus, to the questions contained in the aforesaid resolution; therefore, be it

Resolved, That a copy of said resolution and answer be transmitted to the Attorney-General of the State of New York, with a respectful request that he inform this Assembly, at his earliest convenience, what the legal fare is for a single passenger ticket from New York to Albany, and also the legal fare for a single passenger ticket from Albany to New York. Said railroad, in all its printed time-tables, states that the distance from the Grand Central Depot in New York to the depot in Albany is 143 miles.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Northrup offered for the consideration of the House a resolution, in the words following:

Whereas, After an illness of but a few days, Hon. John I. Platt, one of the leading and representative citizens of Dutchess county, one of the foremost editors of New York State, a man who has for a long period been prominent in the councils of the Republican party, and one of the best known men in this commonwealth, was to-day called by the Almighty to the Great Beyond; and,

Whereas, The said Hon. John I. Platt was for several terms a member of the Assembly of the State of New York, and had on a great many occasions appeared before this body and the committees thereof to speak on bills and measures pending; be it

Resolved, That the Assembly express its regret of his demise and that this minute be spread upon the records of the journal; and,

Resolved, That when the House adjourns, it do so out of respect to our former member, Mr. Platt.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent, Mr. J. A. Foley called up Assembly bill (No. 2653, Int. No. 596), entitled "An act to amend chapter five hundred and fifty-three of the Laws of eighteen hundred and ninety-five, entitled 'An act in relation to the Supreme Court in the first judicial district and the Appellate Division thereof in the first department,' in relation to salary of clerks to justices," now on the order of third reading.

Said bill having been announced, Mr. J. A. Foley moved that said bill be recommitted to the committee on ways and means, with instructions to report the same forthwith amended as follows:

Page 1, line 4, strike out the words "in the first department".

Page 2, line 1, strike out the words "as amended" and insert the word "and".

Line 10, place brackets about the words "or a majority of them".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Moreland, from the committee on ways and means, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Pursuant to chapter two hundred and sixty-one of the Laws of nineteen hundred and seven, Mr. Speaker announced the appointment of the following members of the commission, on behalf of the Assembly, to investigate the affairs of the National Guard: Messrs. Wainwright of Westchester, Baldwin of Onondaga and Todd of Queens.

Mr. G. W. Murphy offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1325, Int. No. 1120), entitled "An act to incorporate the Barryville and Shohola Suspension Bridge Company in Sullivan county," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Hooper offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 490, Int. No. 477), entitled "An act to establish a ferry from the highway adjacent to the farm of George H. Huber, in the county of Essex, across Lake Champlain," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Lupton offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 2141, Int No. 1505), entitled "An act to provide for the opening and maintenance of inlets from the ocean into Shinnecock bay and into Mecox bay, in the town of Southampton in the county of Suffolk and repealing chapter six hundred and twenty-eight of the laws of eighteen hundred and eighty-seven, chapter two hundred and fifty-seven of the laws of eighteen hundred and ninety-two and a part of chapter twenty-nine of the laws of eighteen hundred and seventy-three," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Hammond offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1642, Int. No. 745), entitled "An act to amend chapter one hundred and ninety-four of the laws of eighteen hundred and ninety-seven, entitled 'An act creating a commissioner of jurors for each county of the state having a population of more than one hundred and fifty thousand and less than one hundred and ninety thousand, and regulating and prescribing his duties,' relative to clerk hire and drawing of jurors," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Wainwright offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 2126, Int. No. 1464), entitled "An act to amend chapter six hundred and forty-six of the laws of nineteen hundred and five, entitled 'An act to provide for the construction and maintenance of a sanitary outlet sewer in the county of Westchester and to provide means for the payment therefor,' generally," for the purpose of transmission to the cities of Mount Vernon and Yonkers.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Yale offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1618, Int. No. 1308), entitled "An act to amend chapter one hundred and fourteen of the laws of nineteen hundred and four, entitled 'An act to release to the owners of the fee certain minerals and mining rights acquired by the state by confiscation and by reason of alienage of the former owners

thereof, in the county of Putnam,' relative to the release of such minerals and mining rights acquired by the state by purchase," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Apgar offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 553, Int. No. 186), entitled "An act to amend the Forest, Fish and Game Law, in relation to nets in the Hudson and Delaware-rivers and adjacent waters," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *May 6, 1907.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 1219, Rec. No. 264), entitled "An act to amend chapter seven of the laws of nineteen hundred and four, entitled 'An act to revise, amend and consolidate the several acts relating to the village of Norwich and to repeal certain acts and parts of acts,' in relation to the paid police force," for the purpose of amendment.

By order of the Senate,

LAFAYETTE B. GLEASON,  
*Clerk.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of transmission to the city, As-

sembly bill (No. 2126, Int. No. 1464), entitled "An act to amend chapter six hundred and forty-six of the Laws of nineteen hundred and five, entitled 'An act to provide for the construction and maintenance of a sanitary trunk sewer and a sanitary outlet sewer in the county of Westchester, and to provide means for the payment therefor,' generally," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1325, Int. No. 1120), entitled "An act to incorporate the Barryville and Shohola Suspension Bridge Company in Sullivan county," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 553, Int. No. 186), entitled "An act to amend the Forest, Fish and Game Law, in relation to nets in the Hudson and Delaware rivers and adjacent waters," with a message that they concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 2141, Int. No. 1505), entitled "An act to provide for the opening and maintenance of inlets from the ocean into Shinnecock bay and into Mecox bay, in the town of Southampton in the county of Suffolk, and repealing chapter six hundred and twenty-eight of the Laws of eighteen hundred and eighty-seven, chapter two hundred and fifty-seven of the Laws of eighteen hundred and ninety-two and a part of chapter twenty-nine of the Laws of eighteen hundred and seventy-three," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1618, Int. No. 1308), entitled "An act to amend chapter one hundred and fourteen of the Laws of nineteen hundred and four, entitled 'An act to release to the owners of the fee certain minerals and mining rights acquired by the State by confiscation and by reason of alienage of the former owners thereof, in the county of Putnam,' relative to the release of such minerals and mining rights acquired by the State by purchase," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1642, Int. No. 745), entitled "An act to amend chapter one hundred and ninety-four of the Laws of eighteen hundred and ninety-seven, entitled 'An act creating a commissioner of jurors for each county of the State having a population of more than one hundred and fifty thousand and less than one hundred and ninety thousand, and regulating and prescribing his duties,' relative to clerk hire and drawing of jurors," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 490, Int. No. 477), entitled "An act to establish a ferry from the highway adjacent to the farm of George H. Huber, in the county of Essex, across Lake Champlain," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. Mead of Albany was excused until Monday evening next. On motion of Mr. Moreland, the House adjourned.

## TUESDAY, MAY 7, 1907.

The House met pursuant to adjournment.

Prayer by Rev. Frederick Mueller.

On motion of Mr. Moreland, the reading of the journal of yesterday was dispensed with, and the same was approved.

Mr. Speaker presented the Fifth Annual Report of the Forest Preserve Board, which was laid upon the table and ordered printed.

(See Document.)

Mr. Blue gives notice that he requests that Assembly bill (No. 2595, Int. No. 1815) entitled "An act to amend the Railroad Law, in relation to conductors and brakemen acting as policemen," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Draper gives notice that he requests that Assembly bill (No. 1054, Int. No. 921) entitled "An act to regulate and limit the rate of fare to be charged by certain railroads operating between Suspension Bridge and Lewiston in Niagara county," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Hamn gives notice that he requests that Assembly bill (No. 2629, Int. No. 1838) entitled "An act to approve a map of the highways prepared by the State Engineer and Surveyor, and to provide for an apportionment of highways to be improved with funds made available by the sale of bonds under the provisions of section twelve of article seven of the Constitution, and to authorize the preparation and distribution of such maps and making an appropriation therefor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Dominy gives notice that he requests that Assembly bill (No. 2448, Int. No. 1740) entitled "An act to provide for the

employment of convicts on the highways contiguous to lands owned by the State in the town of Dannemora in Clinton county," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Hamn gives notice that he requests that Assembly bill (No. 2630, Int. No. 1839) entitled "An act to amend chapter four hundred and sixty-nine of the Laws of nineteen hundred and six, entitled 'An act to provide for issuing of bonds of the State for the improvement of highways, and making appropriation therefor generally,'" a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Prentice gives notice that he requests that Assembly bill (No. 174, Int. No. 174) entitled "An act to amend section eight of the Code of Criminal Procedure, in relation to the rights of defendants in criminal actions," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Rogers gives notice that he requests that Assembly bill (No. 1286, Int. No. 385) entitled "An act relating to the marine fisheries of the State," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Robinson gives notice that he requests that Assembly bill (No. 2640, Int. No. 1397) entitled "An act to amend the Tax Law, in relation to the tax on transfers of stock, and refunding taxes erroneously paid or unlawfully exacted," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Draper gives notice that he requests that Assembly bill (No. 2424, Int. No. 1730) entitled "An act to amend County Law, relative to the compensation of supervisors in Niagara

county," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. C. F. Murphy gives notice that he requests that Assembly bill (No. 2634, Int. No. 1323) entitled "An act in relation to the County Court of Kings county and the appointing of a chief clerk and deputies and assistants therein," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Phillips gives notice that he requests that Assembly bill (No. 2566, Int. No. 1001) entitled "An act to amend the Penal Code, in relation to adultery," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Sinclair gives notice that he requests that Assembly bill (No. 2523, Int. No. 1745) entitled "An act to amend chapter ninety of the Laws of eighteen hundred and forty-six, entitled 'An act to incorporate the Hudson Orphan and Relief Association,' generally," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Lee gives notice that he requests that Senate bill (No. 1074, Rec. No. 205) entitled "An act to amend section two hundred and sixty of the Real Property Law, in relation to the authentication of certificates of acknowledgment or proof," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Hastings gives notice that he requests that Senate bill (No. 471, Int. No. 308) entitled "An act to amend the Forest, Fish and Game Law, in relation to taking fish from the waters of Orange lake in the county of Orange," a copy of which is hereto annexed, be made a special order, and asks that his request

be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Apgar gives notice that he requests that the Senate bill (No. 739, Rec. No. 200) entitled "An act to amend chapter three hundred and forty-five of the Laws of eighteen hundred and ninety-two, entitled 'An act to amend chapter one hundred and seventy-seven of the Laws of eighteen hundred and eighty-seven, entitled "An act to provide for supplying the village of Sing Sing with water, and authorizing the issue of bonds therefor, and to create a board of water commissioners for said village," passed April eighteenth, eighteen hundred and eighty-seven, and the acts amendatory thereof, passed April eighteenth, eighteen hundred and eighty-nine,' " a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Surpless gives notice that he requests that Senate bill (No. 1298, Rec. No. 281) entitled "An act to amend the Greater New York charter, relative to the department of corrections and the institutions under the jurisdiction of the commissioner, and to transfer the jail buildings in Kings county from the custody of the sheriff to the commissioner of correction," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Burns gives notice that he requests that Senate bill (No. 778, Rec. No. 253) entitled "An act to amend section thirty-three of chapter seven hundred and twenty-four of the Laws of nineteen hundred and five, in regard to an additional supply of pure and wholesome water for the city of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Stratton gives notice that he requests that Senate bill (No. 790, Rec. No. 136) entitled "An act to amend the Code of Civil Procedure, in relation to appeals from orders," a copy of which

is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Prentice gives notice that he requests that Assembly bill (No. 175, Int. No. 175) entitled "An act to amend the Penal Code by adding a section to be known as section three-a, making it a misdemeanor to disobey a subpoena in a criminal action or proceeding," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Dobbs gives notice that he requests that Assembly bill (No. 1320, Int. No. 1115) entitled "An act to amend the Code of Civil Procedure, in relation to the City Court of the city of New York and to provide for certain other matters relating to such court, its officers, attendants and stenographers," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

The Senate sent for concurrence the following entitled bills:

"An act to amend chapter ninety-eight of the Laws of nineteen hundred, entitled 'An act making the office of treasurer of Oneida county a salaried office, and regulating the management thereof,'" (No. 1360, Rec. No. 331), which was read the first time and referred to the committee on internal affairs.

"An act to amend chapter three hundred and twenty-one of the Laws of eighteen hundred and ninety-eight, entitled 'An act to make the sheriff of Oneida county a salaried office, and to regulate the management thereof,' relative to the appointment and compensation of an office deputy " (No. 1359, Rec. No. 332), which was read the first time and referred to the committee on internal affairs.

"An act authorizing the board of managers of the Utica State Hospital to sell certain lands belonging to such hospital, and providing for the disposal of the proceeds of such sale" (No. 1287, Rec. No. 333), which was read the first time and referred to the committee on ways and means.

"An act to provide for the continuance of the index systems now employed by the county clerk and the surrogate of Oneida county, to cover the entire files of papers in their respective offices, and for the removal of the files and records kept in those offices to the new county building in the city of Utica and to provide for the expenses thereof" (No. 1228, Rec. No. 334), which was read the first time and referred to the committee on internal affairs.

"An act to amend chapter four hundred and seventy-three of the Laws of nineteen hundred and six, with relation to salaries of officers in second class cities" (No. 1320, Rec. No. 335), which was read the first time and referred to the committee on affairs of cities.

"An act to provide a fund for bridges and other permanent street improvements in the city of Ithaca" (No. 1290, Rec. No. 336), which was read the first time and referred to the committee on affairs of cities.

"An act to authorize the commissioners of the sinking fund of the city of New York, in behalf of said city, to compromise, settle, cancel, annul and discharge certain taxes and assessments and interest thereon levied upon the property, the legal title of which is in the name of James A. Mullin, pastor of the Church of the Sacred Heart, in said city, situated in the Twenty-third ward of the city of New York, borough of the Bronx" (No. 1481, Rec. No. 337), which was read the first time and referred to the committee on affairs of cities.

"An act to revise the charter of the city of North Tonawanda" (No. 1497, Int. No. 338), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Greater New York charter, relating to engineers" (No. 1180, Rec. No. 339), which was read the first time and referred to the committee on affairs of cities.

"An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain taxes for the year nineteen hundred and six, affecting property situate in the borough of Manhattan in the city of New York, now belonging to and upon which is erected the building of the Young Men's Hebrew Association of the city of New York" (No. 946, Rec. No. 340), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-eight, entitled 'An act for the government of cities of the second class,' in relation to public markets " (No. 1118, Rec. No. 341), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Town Law, relating to the duties of supervisors " (No. 1194, Rec. No. 342), which was read the first time and referred to the committee on internal affairs.

"An act to limit the application of the provisions of section ninety-three of the Railroad Law, ratifying and confirming certain contracts, so far as such provisions apply to the city of Binghamton " (No. 1244, Rec. No. 343), which was read the first time and referred to the committee on railroads.

"An act to amend the Greater New York charter, relative to the pension fund of the fire department " (No. 170, Rec. No. 344), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Tax Law, in relation to the taxation of bank shares " (No. 1411, Rec. No. 347), which was read the first time and referred to the committee on taxation and retrenchment.

"An act to amend chapter three hundred and thirty-eight of the Laws of eighteen hundred and ninety-four, entitled 'An act relating to canals, constituting chapter thirteen of the general laws,' in relation to the general powers and duties of the Superintendent of Public Works " (No. 1461, Rec. No. 348), which was read the first time and referred to the committee on ways and means.

"An act to amend the Greater New York charter, in relation to the power of the board of commissioners of the sinking fund to fix the rate of interest payable on corporate stock and bonds of the city of New York " (No. 1487, Rec. No. 345), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter four of the Laws of eighteen hundred and ninety-one, entitled 'An act to provide for rapid transit railways in cities of over one million inhabitants,' in relation to the powers of the board of commissioners of the sinking fund in cities of said class, to prescribe the rate of interest on bonds issued

for the construction and equipment of rapid transit railways" (No. 1209, Rec. No. 346), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Moreland introduced a bill entitled "An act to amend section two hundred twenty-nine of the Tax Law in relation to defraying the expenses for office rent, stationery, postage, process serving, et cetera, in the appraisal of estates in New York county" (Int. No. 1858), which was read the first time and referred to the committee on ways and means.

By unanimous consent, Mr. Fowler introduced a bill entitled "An act to validate the tax roll and levy of the village of Pine Hill, county of Ulster, for the year nineteen hundred and seven" (Int. No. 1859), which was read the first time and referred to the committee on affairs of villages.

By unanimous consent, Mr. Burns introduced a bill entitled "An act to amend the Greater New York charter, relating to engineers" (Int. No. 1860), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Eggleston introduced a bill entitled "An act to extend the time of the Batavia and Northern Railroad Company to begin the construction of its road and to expend thereon ten per centum of its capital and to finish its road and put it in operation" (Int. No. 1861), which was read the first time and referred to the committee on railroads.

By unanimous consent, Mr. Mance introduced a bill entitled "An act to repeal chapter four of the Laws of eighteen hundred and eighty-two, entitled "An act to provide for the election of an overseer of the poor in the town of Deerpark, in the county of Orange, and to fix his compensation" (Int. No. 1862), which was read the first time and referred to the committee on internal affairs.

By unanimous consent, Mr. Hamn introduced a bill entitled "An act to amend sections four, six, nine and eleven of chapter one hundred and fifteen of the Laws of eighteen hundred and ninety-eight, as amended by chapter four hundred and sixty-eight of the Laws of nineteen hundred and six, entitled 'An act to provide for the improvement of the public highways,' gen-

erally" (Int. No. 1863), which was read the first time and referred to the committee on internal affairs.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Blue (No. 2595, Int. No. 1815), entitled "An act to amend the Railroad Law, in relation to conductors and brakemen acting as policemen."

Also, Assembly bill introduced by Mr. Draper (No. 1054, Int. No. 921), entitled "An act to regulate and limit the rate of fare to be charged by certain railroads operating between Suspension Bridge and Lewiston in Niagara county."

Also, Assembly bill introduced by Mr. Dominy (No. 2448, Int. No. 1740), entitled "An act to provide for the employment of convicts on the highways contiguous to lands owned by the State in the town of Danemora in Clinton county."

Also, Assembly bill introduced by Mr. Hamn (No. 2629, Int. No. 1838), entitled "An act to approve a map of the highways, prepared by the State Engineer and Surveyor, and to provide for an apportionment of highways to be improved with funds made available by the sale of bonds under the provisions of section twelve of article seven of the Constitution, and to authorize the preparation and distribution of such maps and making an appropriation therefor."

Also, Assembly bill introduced by Mr. Hamn (No. 2630, Int. No. 1839), entitled "An act to amend chapter four hundred and sixty-nine of the Laws of nineteen hundred and six, entitled 'An act to provide for issuing of bonds of the State for the improvement of highways, and making appropriation therefor,' generally."

Also, Assembly bill introduced by Mr. Prentice (No. 174, Int. No. 174), entitled "An act to amend section eight of the Code of Criminal Procedure, in relation to the rights of defendants in criminal actions."

Also, Assembly bill introduced by Mr. Rogers (No. 1286, Int. No. 385), entitled "An act relating to the marine fisheries of the State."

Also, Assembly bill introduced by Mr. Robinson (No. 2640, Int. No. 1397), entitled "An act to amend the Tax Law, in relation to the tax on transfers of stock and refunding taxes erroneously paid or unlawfully exacted," reported in favor of the passage

of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Draper (No. 2424, Int. No. 1730), entitled "An act to amend the County Law, relative to the compensation of supervisors in Niagara county."

Also, Assembly bill introduced by Mr. C. F. Murphy (No. 2634, Int. No. 1323), entitled "An act in relation to the County Court of Kings county and the appointment of a chief clerk and deputies and assistants therein."

Also, Assembly bill introduced by Mr. Phillips (No. 2556, Int. No. 1001), entitled "An act to amend the Penal Code, in relation to adultery."

Also, Assembly bill introduced by Mr. Sinclair (No. 2523, Int. No. 1745), entitled "An act to amend chapter ninety of the Laws of eighteen hundred and forty-six, entitled 'An act to incorporate the Hudson Orphan and Relief Association,' generally."

Also, Assembly bill introduced by Mr. Dowling (No. 2619, Int. No. 1767), entitled "An act to amend the Tenement-house Act, in relation to buildings of a certain character," reported in favor of the passage of the same without amendment, and that the same be made a special order on third reading immediately, which report was agreed to, and said bills ordered made special orders on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Fuller (No. 1074, Rec. No. 205), entitled "An act to amend section two hundred and sixty of the Real Property Law, in relation to the authentication of certificates of acknowledgment or proof."

Also, Senate bill introduced by Mr. Taylor (No. 471, Rec. No. 308), entitled "An act to amend the Forest, Fish and Game Law, in relation to taking fish from the waters of Orange lake, in the county of Orange."

Also, Senate bill introduced by Mr. Carpenter (No. 739, Rec. No. 200), entitled "An act to amend chapter three hundred and forty-five of the Laws of eighteen hundred and ninety-two, entitled 'An act to amend chapter one hundred and seventy-seven of the Laws of eighteen hundred and eighty-seven, entitled "An act to provide for supplying the village of Sing Sing with water, and authorizing the issue of bonds therefor," an to create a board of water commissioners for said village, passed April eighteenth, eighteen hundred and eighty-seven, and the acts amendatory thereof, passed April eighteenth, eighteen hundred and eighty-nine.'"

Also, Senate bill introduced by Mr. Fuller (No. 1298, Rec. No. 281), entitled "An act to amend the Greater New York charter, relative to the department of corrections and the institutions under the jurisdiction of the commissioner, and to transfer the jail buildings in Kings county from the custody of the sheriff to the commissioner of corrections."

Also, Senate bill introduced by Mr. McCarren (No. 778, Rec. No. 253), entitled "An act to amend section thirty-three of chapter seven hundred and twenty-four of the Laws of nineteen hundred and five, in regard to an additional supply of pure and wholesome water for the city of New York."

Also, Senate bill introduced by Mr. Allds (No. 790, Rec. No. 136), entitled "An act to amend the Code of Civil Procedure, in relation to appeals from orders," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Whitley (No. 1915, Int. No. 1449), entitled "An act constituting the charter of the city of Rochester," reported the same with the following amendments:

Page 19, line 7, at the end thereof, insert the following: "easterly along the south line of the Strong tract and said south".

Page 22, line 1, strike out the word "avenue" and insert in place thereof the word "road".

Page 22, line 5, strike out the word "avenue" and insert in place thereof the word "road".

Page 26, line 20, strike out the words "to a point two hundred feet easterly".

Page 26, strike out lines 21, 22, 23, 24, 25 and 26.

Page 27, line 1, strike out the words "said Norton street and fifteen feet northerly therefrom".

Page 27, line 2, strike out the word "fifteen" and insert in place thereof the word "thirty-three".

Page 27, line 6, strike out the word "fifteen" and insert in place thereof the word "thirty-three".

Page 27, line 7, strike out the word "fifteen" and insert in place thereof the word "thirty-three".

Page 27, line 10, strike out the word "fifteen" and insert in place thereof the word "thirty-three".

Page 27, line 11, strike out the word "fifteen" and insert in place thereof the word "thirty-three".

Page 27, line 14, strike out the word "fifteen" and insert in place thereof the word "thirty-three".

Page 31, line 4, strike out the word "fifteen" and insert in place thereof the word "thirty-three".

Page 31, line 7, strike out the word "fifteen" and insert in place thereof the word "thirty-three".

Page 31, line 8, strike out the word "fifteen" and insert in place thereof the word "thirty-three".

Page 31, line 11, strike out the word "fifteen", first appearing, and insert the word "thirty-three".

Page 31, line 11, strike out the word "fifteen", second appearing, and insert in place thereof the word "thirty-three".

Page 31, line 14, strike out the word "fifteen", first appearing, and insert in place thereof the word "thirty-three".

Page 31, line 14, strike out the words "fifteen feet", second appearing.

Page 31, strike out lines 15 and 16, and insert in place thereof the words "in the southerly line of Norton street; thence westerly along said southerly line of said Norton street".

Page 31, line 17, strike out the word "therefrom".

Page 35, line 2, strike out the word "Joseph" and insert in place thereof the word "Josepha".

Page 38, line 23, after the word "Costich" insert the word "junior".

Page 42, line 13, strike out the word "forms" and insert in place thereof the word "form".

Page 42, line 15, insert following the word "after": "the commencement of his term of office, if an elective office, and if an appointive office within fifteen days after".

Page 42, line 20, after the word "thousand" insert "five hundred".

Page 44, line 1, strike out the word "expenses" and insert in place thereof the word "purposes".

Page 44, lines 20 and 21, strike out the words "accounts or claims" and insert in place thereof the words "account or claim".

Page 44, line 24, after the word "city" insert the words "receiving a stated salary or compensation".

Page 44, lines 24 and 25, strike out the words "commissioners of deeds, and city officers acting as commissioners of deeds".

Page 47, line 8, after the word "assessor" insert the words "or commissioner of schools".

Page 47, line 19, strike out the words "officer or board", first appearing, and insert in place thereof "board or officer".

Page 48, line 11, strike out section mark and insert in place thereof the word "Section".

Page 50, line 9, after the word "board" insert the word "court".

Page 50, line 13, after the word "board" insert the word "court".

Page 50, line 15, after the word "board" insert the word "court".

Page 51, line 15, strike out the word "and", and insert in place thereof the word "or".

Page 53, line 17, strike out the word "purposes" and insert in place thereof the word "appropriations".

Page 58, line 1, strike out the word "ordinance" and insert in place thereof the word "ordinances".

Page 58, line 3, strike out section mark and insert in place thereof the word "Section".

Page 59, line 26, strike out the word "their" and insert in place thereof the word "its".

Page 61, strike out lines 18, 19 and 20.

Page 61, line 21, strike out "the preceding provisions of this section;"

Page 61, line 24, strike out "notwithstanding".

Page 61, strike out line 25.

Page 62, strike out line 1.

Page 62, strike out "ester, any statute hereafter passed".

Page 63, line 9, after the word "wires" insert the following: "except trolley wires and the necessary guy and supporting wires used in connection with such trolley wires,".

Page 63, line 11, after the word "ground" insert the following: ", not exceeding in one year the amount which may be placed in twenty miles of single duct, unless the ordinances for the excess over said twenty miles are unanimously approved by the board of estimate and apportionment".

Page 63, line 17, strike out "subdivision two of this sec-".

Page 63, strike out lines 18, 19, 20, 21 and 22.

Page 63, line 26, strike out the comma and insert in place thereof a period; and strike out the words "which terms and conditions are sub-".

Page 64, strike out lines 1, 2, 3 and 4.

Page 64, line 6, after the word "exercised" insert the words "in whole or in part,".

Page 64, lines 11 to 24, inclusive, strike out section eighty-seven and insert in place thereof the following: "§ 87. Grant of franchises.— An ordinance authorizing any franchise must be passed by a vote of three-fourths of all the members of the common council, and must provide for a disposition of the same at public auction to the highest bidder, under proper regulations for the protection of the city and after public notice to be published once each week for three weeks in the official papers; which sale must be approved by the board of estimate and apportionment before it takes effect. The common council may, subject to approval by the mayor and the board of estimate and apportionment, grant to the owner or lessees of an existing franchise under which operations are being actually carried on, additional franchise rights or extensions in the street or streets in which the said franchise exists, without advertisement and sale. No franchise shall be granted or be operative for a period longer than twenty-five years."

Page 65, line 11, at the end thereof, strike out the word "apportionmen" and insert in place thereof the word "apportionment".

Page 65, line 19, after the word "improvements" insert the words "or work".

Page 65, line 21, after the word "improvements" insert the words "or work".

Page 65, line 23, after the word "improvement" insert the words "or work".

Page 66, line 3, strike out the word "must" and insert in place thereof the word "may".

Page 71, line 12, strike out the word "purpose" and insert in place thereof the word "appropriation".

Page 74, line 12, strike out the word "items" and insert in place thereof the word "item".

Page 76, line 1, strike out the word "calendar".

Page 76, line 6, strike out the word "calendar".

Page 76, line 10, strike out the word "require" and insert in place thereof the word "authorize".

Page 78, line 25, strike out the word "and", and insert in place thereof the word "as".

Page 79, line 22, after the word "thereof" insert the words: "as appears by the records of the assessors,".

Page 79, line 24, strike out the word "each" and insert in place thereof the word "east".

Page 81, line 21, strike out the comma and insert in place thereof a period.

Page 81, lines 21, 22 and 23, strike out the words "and every assessment roll so confirmed by the common council and every assessment contained therein is final and conclusive."

Page 86, line 9, strike out the words "records include" and insert in place thereof "record includes".

Page 87, line 8, strike out the word "ordinance" and insert in place thereof the word "ordinances".

Page 87, line 22, strike out the word "statements" and insert in place thereof the word "statement".

Page 89, line 7, strike out the words "reported to assessors" and insert in place thereof "inserted in annual tax rolls".

Page 89, line 8, strike out section mark and insert in place thereof the word "Section".

Page 90, line 10, strike out the word "from", first appearing, and insert in place thereof the word "of".

Page 94, line 23, strike out the word "in", last appearing, and insert in place thereof the word "other".

Page 94, line 2, strike out the word "of".

Page 94, line 4, strike out the word "other".

Page 94, line 5, strike out the period and insert in place thereof the following: "in which the trustees of savings banks are authorized by law to invest deposits, except bonds and mortgages on real estate and railroad bonds."

Page 94, line 25, strike out the word "funds" and insert in place thereof the word "moneys".

Page 95, line 3, after the word "year," insert the words "except revenues from Mount Hope Cemetery,".

Page 95, line 19, strike out the word "funds" and insert in place thereof the word "moneys".

Page 97, line 4, strike out the word "expended" and insert in place thereof the word "unexpended".

Page 100, line 9, strike out the word "oaccounted" and insert in place thereof the word "accounted".

Page 101, line 3, after the word "and" insert the word "to".

Page 101, line 5, strike out the word "to".

Page 101, line 20, strike out the word "of", first appearing,

Page 102, line 17, strike out the word "tax" and insert in place thereof the word "taxes".

Page 104, line 5, strike out the word "claims" and insert in place thereof the word "claim".

Page 107, line 17, strike out the words "reported to assessors" and insert in place thereof the words "inserted in annual tax rolls".

Page 107, strike out lines 21, 22, 23, 24, 25 and 26 and insert in place thereof the following: "on or before the first day of May following, to insert the same in the annual tax rolls for the current year against the respective lots or parcels of land on which the assessments were originally levied, with an addition to each assessment or installment of ten per centum per annum from the time when due to the first day of June following the insertion. After the first day of March and before the first day of May following, the treasurer may in his discretion receive the amount of any assessment or installment inserted or to be inserted in the annual tax rolls for the current year with the aforesaid addition of ten per centum."

Page 108, strike out lines 1, 2 and 3.

Page 109, line 2, strike out the word "Assessment" and insert in place thereof the word "Assessments".

Page 109, line 4, strike out the word "certificate" and insert in place thereof the word "certification".

Page 109, line 7, strike out the word "assessment" and insert in place thereof the word "tax".

Page 112, line 9, before the word "ward" leave blank space.

Pages 112 and 113, strike out § 189 and insert in place thereof the following: "§ 189. Insertion of local assessments in tax rolls.—The assessors must permit the treasurer to have access to or possession of the tax rolls for the purpose of inserting therein unpaid local assessments and installments thereof".

Page 113, line 10, strike out the words "levying of" and insert in place thereof the words "preparation of the tax rolls containing".

Page 114, line 18, strike out the word "local" and insert in place thereof the word "public".

Page 114, line 18, after the word "improvements" insert the words "and work".

Page 117, line 25, after the word "incumbrances" insert the following: "In case an annual tax or local assessment is levied

upon a parcel of land and two or more persons are or become the owners thereof, or it is situate in more than one ward, the common council may apportion such tax or assessment upon such parcel of land in such manner as the assessors may certify to be just, and thereupon such tax or assessment becomes separate liens upon the respective parts of such parcel of land and in the respective amounts designated by the common council."

Page 120, lines 21 and 22, strike out the word "assessment" and insert in place thereof the word "assessments".

Page 121, line 13, strike out the word "moneys" and insert in place thereof the word "money".

Page 121, line 17, strike out the word "certificate" and insert in place thereof the word "certification".

Page 121, line 18, strike out the word "July" and insert in place thereof the word "September".

Page 121, line 19, strike out the word "assessment" and insert in place thereof "annual tax".

Page 121, line 23, strike out the word "assessment" and insert in place thereof the word "tax".

Page 121, line 24, strike out the word "estate" and insert in place thereof the word "property".

Page 122, line 10, strike out the word "assessment" and insert in place thereof the word "tax".

Page 122, lines 16 and 17, strike out the word "assessment" and insert in place thereof the word "tax".

Page 122, line 18, strike out the word "assessment" and insert in place thereof the word "tax".

Page 122, line 25, strike out the word "rolls" and insert in place thereof the word "roll".

Page 122, line 25, strike out the word "sum" and insert in place thereof the word "sums".

Page 123, line 12, strike out the word "assessment" and insert in place thereof the word "tax".

Page 123, line 14, strike out the word "are" and insert in place thereof the word "is".

Page 124, lines 11 and 12, strike out the words "completion of the assessment rolls" and insert in place thereof the words "levying of the taxes".

Page 126, line 9, strike out the word "a".

Page 126, line 24, strike out the word "treasurer" and insert in place thereof the word "treasury".

Page 130, line 10, at the end thereof, insert the following: "No bid may be accepted from or contract awarded to any person or corporation who, either as principal or surety, is in default to the city upon debt, contract or obligation."

Page 132, line 4, strike out the word "proceedings" and insert in place thereof the word "proceeding".

Page 132, line 5, before the word "council" insert the word "common".

Page 134, line 14, strike out the word "any".

Page 134, line 23, before the word "cause" insert the word "may".

Page 136, line 7, strike out section mark and insert in place thereof the word "Section".

Page 136, line 8, change the word "pnblc" to "public".

Page 136, line 19, after the word "construction" insert the word "maintenance".

Page 136, line 19, strike out the word "public" and insert in place thereof the word "municipal".

Page 136, line 20, after the word "drains" insert the following: "including the portion of the west side sewer now or hereafter within the city".

Page 136, line 20, after the word "construction" insert the word "maintenance".

Page 136, line 24, after the word "maintenance" insert the word "alteration".

Page 136, line 25, after the word "improvements" insert the words "and work".

Page 140, line 1, strike out the word "becomes" and insert in place thereof the word "become".

Page 143, line 21, strike out the word "any".

Page 143, line 21, strike out the word "easement" and insert in place thereof the word "easements".

Page 143, line 22, strike out the word "any".

Page 143, line 23, strike out the word "easement" and insert in place thereof the word "easements".

Page 144, line 10, strike out the word "thron" and insert in place thereof the word "thrown".

Page 145, line 11, strike out the words "is a charge or lien" and insert in place thereof the words "are charges or liens".

Page 145, line 17, strike out the word "calendar".

Page 145, line 21, strike out the word "calendar".

Page 145, line 25, after the word "in" insert the words: "the hereinbefore specified".

Page 147, line 20, after the word "improvements" insert the words "and work".

Page 149, line 25, strike out the word "and" and insert in place thereof the word "or".

Page 153, lines 15 and 16, strike out the words: "he must provide police protection for the public parks and squares;"

Page 156, line 21, strike out the comma.

Page 158, line 3, strike out the word "proper".

Page 158, line 23, strike out the word "nor" and insert in place thereof the word "or".

Page 161, line 14, strike out the words "in a" and insert in place thereof the words "of an annual".

Page 161, line 15, after the word "dollars" insert a period.

Page 161, line 16, strike out the words "per annum".

Page 163, line 8, after the word "but" insert the words "one or more".

Page 163, line 19, strike out the word "department".

Page 168, line 6, before the word "brothers" insert the words "one or more".

Page 171, line 6, before the word "penalties" insert the words "fine, imprisonment and".

Page 176, line 21, after the word "person" insert the following: "' except one having or suspected of having a contagious disease,".

Page 179, line 3, strike out section mark and insert in place thereof the word "Section".

Page 179, lines 24 and 25, strike out the words "established playgrounds" and insert in place thereof the words "playgrounds established by the common council".

Page 182, line 24, insert a comma after the word "board" and strike out the comma after the word "same".

Page 183, line 14, strike out the word "materials" and insert in place thereof the word "supplies".

Page 194, line 8, strike out the word "a" and insert in place thereof the word "at".

Page 198, line 6, strike out the word "from" and insert in place thereof the word "for".

Page 198, line 6, strike out the word "fees" and insert in place thereof the word "fines".

Page 199, lines 4 and 5, strike out the words "or commission".

Page 199, line 14, strike out the words "or commission".

Page 199, lines 15 and 16, strike out the words "judgments have" and insert in place thereof the words "judgment has".

Page 200, line 22, strike out the word "property" and insert in place thereof the word "estate".

Page 201, line 6, strike out the word "does" and insert in place thereof the word "do".

Page 201, line 17, strike out the word "property" and insert in place thereof the word "estate".

Page 202, line 23, strike out the word "to".

Page 203, line 6, strike out the word "any".

Page 203, line 7, strike out the word "property" and insert in place thereof the word "estate".

Page 204, line 5, insert at the end thereof the following: "No action, supplementary proceeding or foreclosure action may be commenced to collect taxes heretofore levied until after the expiration of nine months, in the case of taxes upon account of personal property, and one year in the case of taxes upon real estate, from the date of the delivery to the city treasurer of the rolls containing the same."

Page 204, line 15, strike out the words: "No action, supplementary proceeding".

Page 204, strike out lines 16, 17, 18, 19 and 20.

Page 206, line 8, strike out the words: "In computing the limitation herein provided".

Page 206, strike out lines 9, 10 and 11.

Page 208, line 26, after the word "proceeding;" insert the following: "and to appoint a guardian ad litem for an infant who is a party to the proceeding, and if necessary, for a lunatic or habitual drunkard who is a party to the proceeding;"

Page 211, line 14, strike out the words "the filing of" and insert in place thereof the word "receiving".

Page 212, line 1, strike out the semicolon appearing after the word "thereof" and insert in place thereof a comma.

Page 212, line 3, strike out the comma appearing after the word "taken" and insert in place thereof a semicolon.

Page 212, line 12, strike out the words "fourth department,".

Page 214, line 24, strike out the words "must not" and insert in place thereof the word "may".

Page 221, line 1, strike out the period appearing after the word "justice", and insert the following: " ; and he has power to receive deposits of money when such deposits are permitted by law to be made instead of bail or undertaking for appearance."

Page 221, line 15, strike out the word "at" and insert in place thereof the word "during".

Page 229, line 22, strike out the word "estate" and insert in place thereof the word "property".

Page 229, line 25, strike out the word "estate" and insert in place thereof the word "property".

Page 230, line 11, strike out the word "pleadings" and insert in place thereof the word "pleading".

Page 231, line 5, strike out the words "or upon appeal,".

Page 239, line 16, strike out the words "to be" last appearing.

Page 245, line 2, spell the word "received" correctly.

Page 250, line 8, after the word "commission " insert the words "subject to its acceptance thereof,".

Page 256, after line 1, insert the following: " 632. Claims for damages; place of trial of actions and proceedings."

Page 256, line 2, strike out " 632 " and insert in place thereof " 633 ".

Page 256, line 3, strike out " 533 " and insert in place thereof " 634 ".

Page 256, line 4, strike out " 634 " and insert in place thereof " 635 ".

Page 256, line 5, strike out " 635. Not affected by subsequent acts." and insert in place thereof " 636. Laws now applicable."

Page 256, line 6, strike out " 636 " and insert in place thereof " 637 ".

Page 256, line 7, strike out " 637 " and insert in place thereof " 638 ".

Page 256, line 8, strike out " 638 " and insert in place thereof " 639 ".

Page 257, line 27, insert the following: " § 632. Claims for damages; place of trial of actions and proceedings.—All claims against the city for damages or injuries to person or property, invasions of personal or property rights of every name and nature whatsoever, whether casual or continuing, continuing and continuous trespasses, continuing and continuous invasions of property, continuing and continuous invasions of property rights, and all other claims for damages or injuries to persons or property, arising at law or in equity, and enforceable or sought to be enforced at law or in equity, alleged to have been caused or sustained in whole or in part by or because of any misfeasance, non-feasance, negligence, omission of duty, wrongful act, fault or neglect on the part of the city or any of its agents, officers or employees, must be presented to the common council and the corporation counsel, in writing, within three months after such damages, or injuries to persons or property were sustained. Such writing must state the time when, the place where and the circumstances under which the damages or injuries were sustained and the particular cause thereof; it must also state so far as it is then practicable, the nature and extent of the damages or injuries; it must also state the place of residence of the claimant by street and number, and if there be no street or number, it must contain such statement as will disclose the place of residence; and all such claims must be verified by the oath of the claimants; and if it is intended to commence an action on such claim, notice of such intention, containing the amount demanded and the **time and place** of the damages or injuries must also be served on the corporation

counsel within six months after such damages or injuries were sustained. No action may be maintained for damages or injuries to persons or property caused or sustained as aforesaid unless the claim therefor is presented to the common council and corporation counsel within three months and notice of intention is served upon the corporation counsel within six months, and the action is commenced within one year after such damages or injuries were sustained, but no such action may be brought until three months have elapsed after the presentation of the claim to the common council and the corporation counsel. This section applies to claims of infants and all other persons. The place of trial of all actions or proceedings against the city or its boards or officers, shall be in the county of Monroe."

Page 258, line 1, change "632" to "633".

Page 259, line 1, change "633" to "634".

Page 259, line 7, strike out the words "or repealed".

Page 259, line 8, after the word "incorporated." insert the following: "Nothing contained in this act shall be construed as relieving a street surface railway corporation, or any other corporation, from its obligations, liabilities, duties or agreements under existing contracts, ordinances or laws."

Page 259, line 15, change "634" to "635".

Page 260, strike out lines 4, 5, 6, 7 and 8, and insert in place thereof the following: "§ 636. Laws now applicable.—While the city remains a city of the second class it shall be governed by and be subject to the laws applying to cities of the second class, the laws now applying to the city of Rochester even though specifically repealed herein, and the provisions of this act which by the terms thereof are to take effect before the first day of January, nineteen hundred and eight."

Page 260, line 9, change "636" to "637".

Page 260, line 16, after the word "repealed" insert: " , except as to bars, limitations and defenses which it is specifically provided herein may not be asserted or enforced against the city, its boards or officers."

Page 260, lines 24 and 25, strike out the words "and shall not be revived", and insert: " , except as to bars, limitations and defenses which it is specifically provided herein may not be asserted or enforced against the city, its boards or officers."

Page 261, line 6, change "637" to "638".

Page 261, line 9, change "638" to "639".

Page 261, line 14, after the word "thirty-two" insert the words "section two hundred eight,".

Page 261, line 20, change the word "aws" to "Laws".

and requests that said bill be reprinted, as amended, and recommitted to said committee, which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Prentice (No. 175, Int. No. 175), entitled "An act to amend the Penal Code by adding a section to be known as section three-a, making it a misdemeanor to disobey a subpoena in a criminal action or proceeding," reported the same with the following amendments:

Line 2 of title, strike out the words "three-a" and insert in place thereof the words "one hundred and eleven-a".

Page 1, line 2, strike out "three-a" and insert in place thereof "one hundred and eleven-a",

and requests that said bill be reprinted, as amended, and recommitted to said committee, which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Dobbs (No. 1320, Int. No. 1115), entitled "An act to amend the Code of Civil Procedure, in relation to the City Court of the city of New York, and to provide for certain other matters relating to such court, its officers, attendants and stenographers," reported the same with the following amendments:

Page 2, italicize lines 1-15 inclusive.

Page 2, line 16, change the hyphen after the word twenty to a comma.

Page 4, line 9, italicize the word "stenographers".

Page 4, line 16, italicize the word "interpreters".

Page 5, italicize lines 13-25 inclusive.

Page 6, italicize all lines.

Page 7, italicize all lines.

and requests that said bill be reprinted, as amended, and recommitted to said committee, which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. Averill moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Apgar	Dominy	Glynn	Lupton	Sheridan
Averill	Donnelly	Goldberg	Maher	Shuttleworth
Baldwin	Dowling	Gunderman	Mance	Sinclair
Blue	Draper	Hackett	Miller	Smith A E
Brady	Dudley	Hamilton	Mills	Staley
Brooks	Eagleton	Hamn	Moreland	Stanton
Brough	Eggleston	Harawitz	Morgan	Stevenson
Brown	Eichhorn	Harper	Nevins	Stratton
Buckley	Farrell	Harris	Newton	Surpless
Burhyte	Fay	Hart	Northrup	Todd
Burns	Feth	Hastings	Norton	Voss
Cavanaugh	Filley	Hoey	O'Brian	Waddell
Cole	Flanagan	Holmes	Oliver	Wagner
Collins	Foley C F	Hubbs	Parker	Wainwright
Colné	Foley J A	Hurd	Phillips	Waters
Conklin	Fowler	Jackson	Prentice	Weimert
Conrady	Francis	Jacobs	Ralston	Wells
Croak	Frisbie	Keller	Robinson	Whitney F G
Cunningham	Ganly	Lansing	Rogers	Whitney G H
Cuvillier	Garbe	Lee	Schmidt	Winters
De Groot	Geoghagan	Lewis	Schulz	Yale
Dobbs	Glore	Loos	Schwegler	Young

Mr. Averill moved that the call of the House be made a close call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the bill (No. 2225) entitled "An act to secure sufficient water in the barge canal between Lake Erie and the Genesee river." (Int. No. 1633.)

Said bill having been announced for a third reading,

Mr. Weimert moved to postpone action on said bill until Thursday next.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Debate was had thereon.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

## AYES 85

## NOES 17

Those who voted in the affirmative were:

Apgar	Cunningham	Gunderman	Mills	Staley
Averill	Cuvillier	Haines	Moreland	Stanton
Baldwin	De Groot	Hamn	Morgan	Stern
Blue	Dobbs	Harawitz	Nevins	Stevenson
Bohan	Dominy	Harris	Newton	Stratton
Brady	Donnelly	Hart	Northrup	Surpluss
Brough	Dowling	Hastings	Norton	Voss
Brown	Dudley	Holmes	Oliver	Waddell
Buckley	Eagleton	Hurd	Parker	Waters
Burhyte	Eichhorn	Lansing	Phillips	Weber
Burns	Filley	Lee	Ralston	Wells
Cavanaugh	Foley J A	Lewis	Reece	Whitley
Collins	Fowler	Loos	Robinson	Whitney F G
Colné	Francis	Lupton	Rogers	Winters
Conklin	Frisbie	Maher	Schmidt	Yale
Conrady	Glore	Mance	Sheridan	Young
Croak	Glynn	Miller	Sinclair	

Those who voted in the negative were:

Brooks	Feth	Geoghagan	Jacobs	Shuttleworth
Cole	Foley C F	Goldberg	Mallon	Weimert
Eggleston	Ganly	Jackson	O'Brian	Whitney G H
Farrell	Garbe			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1649) entitled "An act to amend chapter two hundred and seventy-eight of the Laws of eighteen hundred and ninety-two, entitled 'An act to authorize the benevolent society in the city of Brooklyn, known as the Mount Zion Benevolent Society, to buy, hold and dispose of land for cemetery purposes.'" (Int. No. 1092.)

Said bill having been announced for a second reading,

On motion of Mr. Conrady, said bill was recommitted to the committee on rules, retaining its place on the order of second reading.

Mr. Speaker announced the special order, being the bill (No. 2587) entitled "An act to amend the Liquor Tax Law, in relation to definitions, bonds to be given; revocation and cancellation of liquor tax certificates; injunction proceedings; illegal sales and selling; definition of 'hotel' and 'guest;' exceptions; special liquor tax certificates in cities of the first and second class." (Int. No. 1554.)

Said bill having been announced for second reading,

Mr. F. G. Whitney moved to amend as follows:

On page 3, line 9, strike out "whomsoever" and insert in place thereof "whosoever".

On page 21, line 5, after "submitted" strike out quotation marks and the balance of said line and insert in place thereof "under said section; provided however that a grower of".

On pages 18 and 19 strike out beginning with "or to", line 13, page 18, down to and including "this act;" in line 8, page 19.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to the special order of second and third reading.

Mr. Speaker announced the special order, being the bill (No. 2531) entitled "An act to authorize the city of Mount Vernon to issue bonds for the purpose of defraying a deficiency in the police fund for the fiscal year beginning May first, nineteen hundred and seven." (Int. No. 1784.)

Said bill having been announced for a second reading,

On motion of Mr. Duell, and by unanimous consent, said bill was made a special order on second and third reading for Wednesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 2424) entitled "An act to amend the County Law, relative to the compensation of supervisors in Niagara county." (Int. No. 1730.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Merritt	Sinclair
Averill	Draper	Hammond	Miller	Smith A E
Baldwin	Dudley	Hamn	Mills	Smith C
Blue	Duell	Harawitz	Mooney	Smith Myron
Bohan	Eagleton	Harper	Morgan	Staley
Boshart	Egleston	Harris	Murphy C F	Stern

Brady	Eichhorn	Hart	Murphy G W	Stevenson
Brooks	Ferguson	Hastings	Nevins	Stratton
Brough	Feth	Hoey	Newton	Surpless
Brown	Filley	Holmes	Northrup	Todd
Buckley	Flanagan	Hooper	Norton	Volk
Burhyte	Foley C F	Hubbs	O'Brian	Voss
Burns	Foley J A	Hurd	Oliver	Waddell
Burzynski	Fowler	Jackson	Parker	Wagner
Cavanaugh	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prince	Weber
Colné	Garbe	Lewis	Ralston	Weimert
Conklin	Geoghagan	Loos	Reece	Wells
Conrady	Glore	Lowe	Robinson	West
Croak	Gluck	Lupton	Rogers	Whitley
Cunningham	Glynn	Maher	Schmidt	Whitney F G
Cuvillier	Goldberg	Mallon	Schoeneck	Whitney G H
De Groot	Gray	Mance	Schulz	Wood
Dobbs	Green	Marlatt	Sheridan	Yale
Dominy	Gunderman	Matthews	Shuttleworth	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2634) entitled "An act in relation to the County Court of Kings county and the appointment of a chief clerk and deputies and assistants therein." (Int. No. 1323.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Merritt	Sinclair
Averill	Draper	Hammond	Miller	Smith A E
Baldwin	Dudley	Hamn	Mills	Smith C
Blue	Duell	Harawitz	Mooney	Smith Myron
Bohan	Eagleton	Harper	Morgan	Staley
Boshart	Eggleston	Harris	Murphy C F	Stern
Brady	Eichhorn	Hart	Murphy G W	Stevenson
Brooks	Ferguson	Hastings	Nevins	Stratton
Brough	Feth	Hoey	Newton	Surpless
Brown	Filley	Holmes	Northrup	Todd
Buckley	Flanagan	Hooper	Norton	Volk
Burhyte	Foley C F	Hubbs	O'Brian	Voss

Burns	Foley J A	Hurd	Oliver	Waddell
Burzynski	Fowler	Jackson	Parker	Wagner
Cavanaugh	Francis	Keller	Patton	Walters
Chamberlain	Frisbie	Lansing	Phillips	Waters
Cole	Ganly	Lee	Prince	Weber
Colné	Garbe	Lewis	Ralston	Weimert
Conklin	Geoghagan	Loos	Reece	Wells
Conrady	Glore	Lowe	Robinson	West
Croak	Gluck	Lupton	Rogers	Whitley
Cunningham	Glynn	Maher	Schmidt	Whitney F G
Cuvillier	Goldberg	Mallon	Schoeneck	Whitney G H
De Groot	Gray	Mance	Schulz	Wood
Dobbs	Green	Marlatt	Sheridan	Yale
Dominy	Gunderman	Matthews	Shuttleworth	Young
Donnelly	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the bill (No. 2556) entitled "An act to amend the Penal Code, in relation to adultery." (Int. No. 1001.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 83

NOES 4

Those who voted in the affirmative were:

Allen	Eichhorn	Hamn	Murphy C F	Staley
Averill	Fay	Harper	Nevins	Stanton
Baumann	Ferguson	Hoey	Newton	Stratton
Blue	Feth	Holmes	Northrup	Voss
Brough	Filley	Hubbs	Norton	Waddell
Burhyte	Foley C F	Jackson	O'Brian	Wagner
Cole	Foley J A	Lansing	Oliver	Wainwright
Collins	Fowler	Lee	Parker	Waters
Conklin	Francis	Lewis	Phillips	Weimert
Croak	Ganly	Lupton	Robinson	Wells
De Groot	Garbe	Maher	Schmidt	West
Dobbs	Glore	Mallon	Schulz	Whitley
Dominy	Glynn	Mance	Schwegler	Whitney F G
Donnelly	Goldberg	Miller	Shuttleworth	Whitney G H
Draper	Gunderman	Mills	Smith A E	Winters
Dudley	Hackett	Moreland	Smith Myron	Young
Eggleston	Hamilton	Morgan		

Those who voted in the negative were:

Cuvillier      Frisbie      Harawitz      Sheridan

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2523) entitled "An act to amend chapter ninety of the Laws of eighteen hundred and forty-six, entitled 'An act to incorporate the Hudson Orphan and Relief Association,' generally." (Int. No. 1745.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eagleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Surpless
Buckley	Flanagan	Hooper	Northrup	Todd
Burhyte	Foley C F	Hubbs	Norton	Volk
Burns	Foley J A	Hurd	O'Brian	Voss
Burzynski	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Keller	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Walters
Cole	Ganly	Lee	Phillips	Waters
Colne	Garbe	Lewis	Prince	Weber
Conklin	Geoghagan	Loos	Ralston	Weimert
Conrady	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	West
Cunningham	Glynn	Maher	Rogers	Whitley
Cuvillier	Goldberg	Mallon	Schmidt	Whitney F G
De Groot	Gray	Mance	Schoeneck	Whitney G H
Dobbs	Green	Marlatt	Schulz	Yel
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2619) entitled "An act to amend the Tenement-House Act, in relation to buildings of a certain character." (Int. No. 1767.)

Said bill having been announced for third reading, Mr. Dowling moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

On page 1, strike out lines 4, 5 and 6.

On page 1, line 7, strike out "hundred and six" and insert in place thereof "as added by".

On page 1, line 7, after "eight" insert "of the laws of nineteen hundred and six".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Dowling, from the committee on the affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on special order of third reading.

Mr. Speaker announced the special order, being the bill (No. 2595) entitled "An act to amend the Railroad Law, in relation to conductors and brakemen acting as policemen." (Int. No. 1815.)

Said bill having been announced for a second reading, on motion of Mr. Blue, said bill was laid aside, retaining its place on the order of second reading.

Mr. Speaker announced the special order, being the bill (No. 1054) entitled "An act to regulate and limit the rate of fare to be charged by certain railroads operating between Suspension Bridge and Lewiston in Niagara county." (Int. No. 921.)

On motion of Mr. Draper, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Surplless
Buckley	Flanagan	Hooper	Northrup	Todd
Burhyte	Foley C F	Hubbs	Norton	Volk
Burns	Foley J A	Hurd	O'Brian	Voss
Burzynski	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Keller	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Walters
Cole	Ganly	Lee	Phillips	Waters
Colné	Garbe	Lewis	Prentice	Weber
Conklin	Geoghagan	Loos	Ralston	Weimert
Conrady	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	West
Cunningham	Glynn	Maher	Rogers	Whitley
Cuvillier	Goldberg	Mallon	Schmidt	Whitney F G
De Groot	Gray	Mance	Schoeneck	Whitney G H
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2448) entitled "An act to provide for the employment of convicts on the highways contiguous to lands owned by the State in the town of Dannemora in Clinton county." (Int. No. 1740.)

On motion of Mr. Dominy, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoe	Nevins	Stratton
Brown	Filley	Holmes	Newton	Surpless
Buckley	Flanagan	Hooper	Northrup	Todd
Burhyte	Foley C F	Hubbs	Norton	Volk
Burns	Foley J A	Hurd	O'Brian	Voss
Burzynski	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Keller	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Walters
Cole	Ganly	Lee	Phillips	Waters
Colné	Garbe	Lewis	Prince	Weber
Conklin	Geoghagan	Loos	Ralston	Weimert
Conrady	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	West
Cunningham	Glynn	Maher	Rogers	Whitley
Cuvillier	Goldberg	Mallon	Schmidt	Whitney F G
De Groot	Gray	Mance	Schoeneck	Whitney G H
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2629) entitled "An act to approve a map of the highways prepared by the State Engineer and Surveyor and to provide for an apportionment of highways to be improved with funds made available by the sale of bonds under the provisions of section twelve of article seven of the Constitution, and to authorize the preparation and distribution of such maps and making an appropriation therefor." (Int. No. 1838.)

On motion of Mr. Hamn, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoe	Nevins	Stratton
Brown	Filley	Holmes	Newton	Surpless
Buckley	Flanagan	Hooper	Northrup	Todd
Burhyte	Foley C F	Hubbs	Norton	Volk
Burns	Foley J A	Hurd	O'Brian	Voss
Burzynski	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Keller	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Walters
Cole	Ganly	Lee	Phillips	Waters
Collins	Garbe	Lewis	Prince	Weber
Conklin	Geoghagan	Loos	Ralston	Weimert
Conrady	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	West
Cunningham	Glynn	Maher	Rogers	Whitley
Cuvillier	Goldberg	Mallon	Schmidt	Whitney F G
De Groot	Gray	Mance	Schoeneck	Whitney G H
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Schwegler	Young
Donnelly	Hackett			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2630) entitled "An act to amend chapter four hundred and sixty-nine of the Laws of nineteen hundred and six, entitled 'An act to provide for the issuing of bonds of the State for the improvement of highways, and making appropriation therefor,' generally." (Int. No. 1839.)

Said bill having been announced for second reading, Mr. Hamn moved to amend as follows:

On page 2, line 21, strike out "s" in the word "funds".

On page 3, line 12, strike out "amount" and insert in place thereof "amounts".

On page 6, line 17, strike out "shal" and insert in place thereof "shall".

On page 7, line 4, after "counties" insert "according to the cost of such improvement in each of such towns or counties."

On page 10, line 12, after "one-half" strike out "of".

On page 13, line 9, after "§" insert "[6]".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to special order of second and third reading.

Mr. Speaker announced the special order, being the bill (No. 174) entitled "An act to amend section eight of the Code of Criminal Procedure, in relation to the rights of defendants in criminal actions." (Int. No. 174.)

On motion of Mr. Prentice, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 1

Those who voted in the affirmative were:

Allen	Dowling	Hackett	McCue	Shuttleworth
Averill	Draper	Hamilton	Merritt	Sinclair
Baldwin	Dudley	Hammond	Miller	Smith A E
Blue	Duell	Hamn	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Surpluss
Buckley	Flanagan	Hooper	Northrup	Todd
Burhyte	Foley C F	Hubbs	Norton	Volk
Burns	Foley J A	Hurd	O'Brian	Voss
Burzynski	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Keller	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Walters
Cole	Ganly	Lee	Phillips	Waters
Colne	Garbe	Lewis	Prince	Weber
Conklin	Geoghagan	Loos	Ralston	Weimert
Conrady	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	West

Cunningham	Glynn	Maher	Rogers	Whitley
Cuvillier	Goldberg	Mallon	Schmidt	Whitney F G
De Groot	Gray	Mance	Schoeneck	Whitney G H
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly				

In the negative:

Harawitz

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1286) entitled "An act relating to the marine fisheries of the State." (Int. No. 385.)

On motion of Mr. Rogers, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

AYES 2

NOES 93

Those who voted in the affirmative were:

Baumann      Parker

Those who voted in the negative were:

Allen	De Groot	Glore	Lupton	Schulz
Apgar	Dobbs	Glynn	Maher	Schwegler
Averill	Donnelly	Goldberg	Mance	Sheridan
Baldwin	Dowling	Green	Miller	Sinclair
Blue	Dudley	Hackett	Mooney	Smith A E
Bohan	Eagleton	Haines	Morgan	Smith Myron
Brady	Eggleston	Hamilton	Nevins	Staley
Brough	Eichhorn	Harawitz	Newton	Stern
Brown	Fay	Harper	Northrup	Stratton
Buckley	Ferguson	Hoey	Norton	Surpless
Burhyte	Feth	Holmes	Oliver	Voss
Burns	Foley C F	Hubbs	Prentice	Wagner
Cavanaugh	Foley J A	Hurd	Prince	Wainwright
Collins	Fowler	Jackson	Ralston	Waters
Colné	Francis	Jacobs	Reece	Weber
Conklin	Frisbie	Keller	Robinson	Weimert
Conrady	Ganly	Lansing	Rogers	Wells
Croak	Garbe	Lewis	Schmidt	Whitney G H
Cuvillier	Geoghagan	Loos		

Mr. Rogers moved to reconsider the vote by which said bill was lost, and that said motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was decided in the affirmative.

Mr. Speaker announced the special order, being the bill (No. 2640) entitled "An act to amend the Tax Law, in relation to the tax on transfers of stock and refunding taxes erroneously paid or unlawfully exacted." (Int. No. 1397.)

On motion of Mr. Robinson, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Surplless
Buckley	Flanagan	Hooper	Northrup	Todd
Burhyte	Foley C F	Hubbs	Norton	Volk
Burns	Foley J A	Hurd	O'Brian	Voss
Burzynski	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Keller	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Walters
Cole	Ganly	Lee	Phillips	Waters
Colné	Garbe	Lewis	Prince	Weber
Conklin	Geoghagan	Loos	Ralston	Weimert
Conrad	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	West
Cunningham	Glynn	Maher	Rogers	Whitley
Cuvillier	Goldberg	Mallon	Schmidt	Whitney F G
De Groot	Gray	Mance	Schoeneck	Whitney G H
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 778) entitled "An act to amend section thirty-three of chapter seven hundred and twenty-four of the Laws of nineteen hundred and five, in regard to an additional supply of pure and wholesome water for the city of New York." (Rec. No. 253.)

On motion of Mr. Mooney, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Draper	Hammond	Merritt	Sinclair
Averill	Dudley	Hamn	Miller	Smith A E
Baldwin	Duell	Harawitz	Mills	Smith C
Blue	Eagleton	Harper	Mooney	Smith Myron
Bohan	Eggleston	Harris	Morgan	Staley
Boshart	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Surpless
Buckley	Flanagan	Hooper	Northrup	Todd
Burhyte	Foley C F	Hubbs	Norton	Volk
Burns	Foley J A	Hurd	O'Brian	Voss
Burzynski	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Keller	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Walters
Cole	Ganly	Lee	Phillips	Waters
Colné	Garbe	Lewis	Prince	Weber
Conklin	Geoghagan	Loos	Ralston	Weimert
Conrady	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	West
Cunningham	Glynn	Maher	Rogers	Whitley
Cuvillier	Goldberg	Mallon	Schmidt	Whitney F G
De Groot	Gray	Mance	Schoeneck	Whitney G H
Dobbs	Green	Marlatt	Schulz	Wood
Dominy	Gunderman	Matthews	Sheridan	Yale
Donnelly	Hackett	McCue	Shuttleworth	Young
Dowling	Hamilton			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 790) entitled "An act to amend the Code of Civil Procedure, in relation to appeals from orders." (Rec. No. 136.)

On motion of Mr. Stratton, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Fichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Surpless
Buckley	Flanagan	Hooper	Northrup	Todd
Burhyte	Foley C F	Hubbs	Norton	Volk
Burns	Foley J A	Hurd	O'Brian	Voss
Burzynski	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Keller	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Walters
Cole	Ganly	Lee	Phillips	Waters
Colné	Garbe	Lewis	Prince	Weber
Conklin	Geoghagan	Loos	Ralston	Weimert
Conrady	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	West
Cunningham	Glynn	Maher	Rogers	Whitley
Cuvillier	Goldberg	Mallon	Schmidt	Whitney F G
De Groot	Gray	Mance	Schoeneck	Whitney G H
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 739) entitled "An act to amend chapter three hundred and

forty-five of the Laws of eighteen hundred and ninety-two, entitled 'An act to amend chapter one hundred and seventy-seven of the Laws of eighteen hundred and eighty-seven, entitled "An act to provide for supplying the village of Sing Sing with water, and authorizing the issue of bonds therefor, and to create a board of water commissioners for said village," passed April eighteenth, eighteen hundred and eighty-seven, and the acts amendatory thereof, passed April eighteenth, eighteen hundred and eighty-nine.' " (Rec. No. 200.)

On motion of Mr. Wainwright, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Surpless
Buckley	Flanagan	Hooper	Northrup	Todd
Burhyte	Foley C F	Hubbs	Norton	Volk
Burns	Foley J A	Hurd	O'Brian	Voss
Burzynski	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Keller	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Walters
Cole	Ganly	Lee	Phillips	Waters
Colné	Garbe	Lewis	Prince	Weber
Conklin	Geoghagan	Loos	Ralston	Weimert
Conrady	Glore	Lowe	Reece	Welis
Croak	Gluck	Lupton	Robinson	West
Cunningham	Glynn	Maher	Rogers	Whitley
Cuvillier	Goldberg	Mallon	Schmidt	Whitney F G
De Groot	Gray	Mance	Schoeneck	Whitney G H
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1298) entitled "An act to amend the Greater New York charter, relative to the department of correction and the institutions under the jurisdiction of the commissioner, and to transfer the jail buildings in Kings county from the custody of the sheriff to the commissioner of correction." (Rec. No. 281.)

Said bill having been announced for a second reading, on motion of Mr. Dowling, and by unanimous consent, said bill was made a special order on second and third reading for Wednesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being Senate bill (No. 1074) entitled "An act to amend section two hundred and sixty of the Real Property Law, in relation to the authentication of certificates of acknowledgment or proof." (Rec. No. 205.)

On motion of Mr. Dobbs, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Surpless
Buckley	Flanagan	Hooper	Northrup	Todd
Burhyte	Foley C F	Hubbs	Norton	Volk
Burns	Foley J A	Hurd	O'Brian	Voss

Burzynski	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Keller	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Walters
Cole	Ganly	Lee	Phillips	Waters
Colné	Garbe	Lewis	Prince	Weber
Conklin	Geoghagan	Loos	Ralston	Weimert
Conrady	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	West
Cunningham	Glynn	Maher	Rogers	Whitley
Cuvillier	Goldberg	Mallon	Schmidt	Whitney F G
De Groot	Gray	Mance	Schoeneck	Whitney G H
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 471) entitled "An act to amend the Forest, Fish and Game Law, in relation to taking fish from the waters of Orange Lake, in the county of Orange." (Rec. No. 308.)

On motion of Mr. Hastings, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Fiechhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Supless
Buckley	Flanagan	Hooper	Northrup	Todd
Burhyte	Foley C F	Hubbs	Norton	Volk
Burns	Foley J A	Hurd	O'Brian	Voss
Burzynski	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Keller	Parker	Wagner

Chamberlain	Frisbie	Lansing	Patton	Walters
Cole	Ganly	Lee	Phillips	Waters
Colné	Garbe	Lewis	Prince	Weber
Conklin	Geoghagan	Loos	Ralston	Weimert
Conrady	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	West
Cunningham	Glynn	Maher	Rogers	Whitley
Cuvillier	Goldberg	Mallon	Schmidt	Whitney F G
De Groot	Gray	Mance	Schoeneck	Whitney G H
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

A communication from the Governor was received and read, in the words following:

### STATE OF NEW YORK:

EXECUTIVE CHAMBER,  
ALBANY, May 6, 1907.

*To the Assembly:*

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 2141, Int. No. 1505), entitled "An act to provide for the opening and maintenance of inlets from the ocean into Shinnecock bay and into Mecox bay, in the town of Southampton in the county of Suffolk, and repealing chapter six hundred and twenty-eight of the laws of eighteen hundred and eighty-seven, chapter two hundred and fifty-seven of the laws of eighteen hundred and ninety-two, and a part of chapter twenty-nine of the laws of eighteen hundred and seventy-three."

CHARLES E. HUGHES.

Said bill having been announced, Mr. Lupton moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith <sup>1</sup> A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Surplless
Buckley	Flanagan	Hooper	Northrup	Todd
Burhyte	Foley C F	Hubbs	Norton	Volk
Burns	Foley J A	Hurd	O'Brian	Voss
Burzynski	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Keller	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Walters
Cole	Ganly	Lee	Phillips	Waters
Colné	Garbe	Lewis	Prince	Weber
Conklin	Geoghagan	Loos	Ralston	Weimert
Conrad	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	West
Cunningham	Glynn	Maher	Rogers	Whitley
Cuvillier	Goldberg	Mallon	Schmidt	Whitney F G
De Groot	Gray	Mance	Schoeneck	Whitney G H
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Mr. Lupton moved that said bill be recommitted to the committee on ways and means, with instructions to report the same forthwith amended as follows:

Page 3, line 6, strike out the word "a" and insert "the".

Page 3, line 7, strike out the words "judge or special county judge" and insert "court".

Page 3, line 16, strike out the words "judge or special county judge" and insert "court".

Page 3, lines 23 and 24, strike out the words "judge or special county judge" and insert "court".

Page 5, strike out all of lines 1 to 9, inclusive, and insert "owners and occupants of the land through which said inlet, or inlets is proposed to be opened personally, if they reside in the town; if they do not reside in the town, or if personal service cannot be made, service shall be made by mailing a copy of such notice to such owners and occupants at their last known place of residence at least sixteen days before the time fixed for the meeting of the commissioners, and a like copy shall be served on the clerk of said board of trustees at least eight days before the time fixed for such meeting".

Page 5, line 15, strike out the word "may" and insert "shall".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Moreland, from the committee on ways and means, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication from the Governor was received and read, in the words following:

### STATE OF NEW YORK:

EXECUTIVE CHAMBER,  
ALBANY, May 6, 1907.

*To the Assembly:*

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1642, Int. No. 745), entitled "An act to amend chapter one hundred and ninety-four of the laws of eighteen hundred and ninety-seven, entitled 'An act creating a commissioner of jurors for each county of the State having a population of more than one hundred and fifty thousand and less than one hundred and ninety thousand, and regulating and prescribing his duties,' relative to clerk hire and drawing of jurors."

CHARLES E. HUGHES.

Said bill having been announced, Mr. Hammond moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton

Brown	Filley	Holmes	Newton	Surpless
Buckley	Flanagan	Hooper	Northrup	Todd
Burhyte	Foley C F	Hubbs	Norton	Volk
Burns	Foley J A	Hurd	O'Brian	Voss
Burzynski	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis]	Keller	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Walters
Cole	Ganly	Lee	Phillips	Waters
Colné	Garbe	Lewis	Prince	Weber
Conklin	Geoghagan	Loos	Ralston	Weimert
Conrady	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	West
Cunningham	Glynn	Maher	Rogers	Whitley
Cuvillier	Goldberg	Mallon	Schmidt	Whitney F G
De Groot	Gray	Mance	Schoeneck	Whitney G H
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Mr. Hammond moved that said bill be recommitted to the committee on internal affairs, with instructions to report the same forthwith amended as follows:

On page 2, line 8, before "said" insert a bracket.

On page 2, line 9, strike out the brackets and the word "five".

On page 2, line 10, after "necessary" insert a bracket.

On page 2, line 14, after "printing" insert "necessary clerk hire".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Apgar, from the committee on internal affairs, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A message was received from the Senate, in the words following:

IN SENATE, May 7, 1907.

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 234, reprint No. 1503, Rec. No. 13), entitled "An act to amend chapter three hundred and nineteen of the laws of nineteen hundred and three, entitled 'An act to make the office of sheriff of Herkimer county a salaried office and to regulate the management of said office,' relative to fees of deputy sheriffs."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Heacock, and by unanimous consent, the same was amended as follows:

Commencing with "they", line 6, page 2, strike out all down to and including "cases", line 15, page 2, and insert in lieu thereof the following:

"Such deputies for their services in criminal cases shall be allowed the same fees as constables are now allowed by law, payable in the same manner; but no fee or compensation shall be allowed any such deputy in vagrancy or tramp cases; when such deputies are summoned to attend court as court officers their fees and compensation shall be a charge against the county and shall be the same amount and payable in the same manner as allowed by law to constables for similar services."

Said bill, as amended, was reprinted, re-engrossed and, having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

LAFAYETTE B. GLEASON,  
*Clerk.*

Said bill having been announced, Mr. Ferguson moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Gunderman	Matthews	Sheridan
Averill	Dowling	Hackett	Merritt	Shuttleworth
Baldwin	Draper	Hamilton	Miller	Sinclair
Blue	Dudley	Hamn	Mills	Smith A E
Bohan	Duell	Harawitz	Mooney	Smith C
Boshart	Eagleton	Harper	Morgan	Smith Myron
Brady	Eggleston	Harris	Murphy C F	Staley
Brooks	Eichhorn	Hart	Murphy G W	Stern
Brough	Ferguson	Hastings	Nevins	Stevenson
Brown	Feth	Hoey	Newton	Stratton
Buckley	Filley	Holmes	Northrup	Surpluss
Burhyte	Flanagan	Hooper	Norton	Todd
Burns	Foley C F	Hubbs	O'Brian	Volk
Burzynski	Foley J A	Hurd	Oliver	Voss
Cavanaugh	Fowler	Jackson	Parker	Waddell
Cunningham	Francis	Keller	Patton	Wagner
Cole	Frisbie	Lansing	Phillips	Walters
Colné	Ganly	Lee	Prince	Waters
Conklin	Garbe	Lewis	Ralston	Weber
Conrady	Geoghagan	Loos	Reece	Weimert
Croak	Glore	Lowe	Robinson	Wells
Cunningham	Gluck	Lupton	Rogers	Whitley
Cuvillier	Glynn	Maher	Schmidt	Whitney G H
De Groot	Goldberg	Mallon	Schoeneck	Yale
Dobbs	Gray	Mance	Schulz	Young
Dominy	Green	Marlatt		

Said bill, as amended, was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Gunderman	Matthews	Sheridan
Averill	Dowling	Hackett	Merritt	Shuttleworth
Baldwin	Draper	Hamilton	Miller	Sinclair
Blue	Dudley	Hamn	Mills	Smith A E
Bohan	Duell	Harawitz	Mooney	Smith C
Boshart	Eagleton	Harper	Morgan	Smith Myrow
Brady	Eggleston	Harris	Murphy C F	Staley
Brooks	Eichhorn	Hart	Murphy G W	Stern
Brough	Ferguson	Hastings	Nevins	Stevenson
Brown	Feth	Hoey	Newton	Stratton
Buckley	Filley	Holmes	Northrup	Surpluss
Burhyte	Flanagan	Hooper	Norton	Todd
Burns	Foley C F	Hubbs	O'Brian	Volk
Burzynski	Foley J A	Hurd	Oliver	Voss
Cavanaugh	Fowler	Jackson	Parker	Waddell
Chamberlain	Francis	Keller	Patton	Wagner
Cole	Frisbie	Lansing	Phillips	Walters
Collins	Ganly	Lee	Prince	Waters
Conklin	Garbe	Lewis	Ralston	Weber
Conrady	Geoghagan	Loos	Reece	Weimert
Croak	Glore	Lowe	Robinson	Wells
Cunningham	Gluck	Lupton	Rogers	Whitley
Cuvillier	Glynn	Maher	Schmidt	Whitney G H
De Groot	Goldberg	Mallon	Schoeneck	Yale
Dobbs	Gray	Mance	Schulz	Young
Dominy	Green	Marlatt		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same.

A message was received from the Senate, in the words following:

IN SENATE, May 7, 1907.

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 937, reprint No. 1456, Rec. No. 170), entitled "An act to amend the forest, fish and game law, in relation to fishing with nets in Hudson and Delaware rivers and adjacent waters."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Smith, and by unanimous consent, the same was amended as follows:

Page 1, line 8, strike out the brackets after the word "waters".

Page 2, line 1, after the word "river" insert new matter as indicated.

Page 2, line 1, insert bracket between words "river" and "and".

Said bill, as amended, was reprinted, re-engrossed, and, having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

LAFAYETTE B. GLEASON,

*Clerk.*

Said bill having been announced, Mr. Sinclair moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hackett	McCue	Shuttleworth
Averill	Dowling	Hamilton	Merritt	Sinclair
Baldwin	Draper	Hamn	Miller	Smith A E
Blue	Dudley	Harawitz	Mills	Smith C
Bohan	Duell	Harper	Mooney	Smith Myron
Boshart	Eagleton	Harris	Morgan	Staley
Brady	Eggleston	Hart	Murphy C F	Stern
Brooks	Eichhorn	Hastings	Murphy G W	Stevenson
Brough	Ferguson	Hoey	Nevins	Stratton
Brown	Feth	Holmes	Newton	Surplless
Buckley	Filley	Hooper	Northrup	Todd
Burhyte	Flanagan	Hubbs	Norton	Volk
Burns	Foley C F	Hurd	O'Brian	Voss
Burzynski	Foley J A	Jackson	Oliver	Waddell
Cavanaugh	Fowler	Keller	Parker	Wagner
Chamberlain	Francis	Lansing	Patton	Walters
Cole	Ganly	Lee	Phillips	Waters
Colné	Garbe	Lewis	Prince	Weber
Conklin	Geoghagan	Loos	Ralston	Weimert
Conrady	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Yale
Dobbs	Green	Marlatt	Schulz	Young
Dominy	Gunderman	Matthews	Sheridan	

Said bill, as amended, was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Hackett	McCue	Shuttleworth
Averill	Dowling	Hamilton	Merritt	Sinclair
Baldwin	Draper	Hamn	Miller	Smith A E
Blue	Dudley	Harawitz	Mills	Smith C
Bohan	Duell	Harper	Mooney	Smith Myron
Boshart	Eagleton	Harris	Morgan	Staley
Brady	Eggleston	Hart	Murphy C F	Stern
Brooks	Eichhorn	Hastings	Murphy G W	Stevenson
Brough	Ferguson	Hoey	Nevins	Stratton
Brown	Feth	Holmes	Newton	Surpless
Buckley	Filley	Hooper	Northrup	Todd
Burhyte	Flanagan	Hubbs	Norton	Volk
Burns	Foley C F	Hurd	O'Brian	Voss
Burzynski	Foley J A	Jackson	Oliver	Waddell
Cavanaugh	Fowler	Keller	Parker	Wagner
Chamberlain	Francis	Lansing	Patton	Walters
Cole	Ganly	Lee	Phillips	Waters
Colne	Garbe	Lewis	Prince	Weber
Conklin	Geoghagan	Loos	Ralston	Weimert
Conrady	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	Whitley
Cunningham	Glynn	Maher	Rogers	Whitney F G
Cuvillier	Goldberg	Mallon	Schmidt	Whitney G H
De Groot	Gray	Mance	Schoeneck	Yale
Dobbs	Green	Marlatt	Schulz	Young
Dominy	Gunderman	Matthews	Sheridan	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same.

The Senate returned the Assembly bill (No. 771, Senate reprint No. 1484, Int. No. 74) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for hares and rabbits in Columbia, Greene, Ulster, Fulton, Dutchess and Orange counties," with a message that they have concurred in the passage of the same, with the following amendments:

In line 2 of title, after "in" insert "Columbia, Greene, Ulster, Fulton,".

On page 1, line 4, inclose the word "Columbia" in brackets.

On page 1, line 6, after the semicolon (;) insert a bracket; same page, line 7, insert a bracket after the semicolon (;).

Page 2, line 1, after "of" insert "Columbia, Greene, Ulster". Same page, line 13, inclose in brackets the word "and". Same page and line, after "the" insert "county". Same page and line, inclose in brackets the word "counties". Same page and line, after "Fulton" insert "from February first to September thirtieth, both inclusive;". Same page and line, before "and" insert a "bracket"; same page, line 14, insert a bracket after the semicolon (;).

Mr. Hastings moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamm	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Surpluss
Buckley	Flanagan	Hooper	Northrup	Todd
Burhyte	Foley C F	Hubbs	Norton	Volk
Burns	Foley J A	Hurd	O'Brian	Voss
Burzynski	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Keller	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Walters
Cole	Ganly	Lee	Phillips	Waters
Colné	Garbe	Lewis	Prince	Weber
Conklin	Geoghagan	Loos	Ralston	Weimert
Conrady	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	West
Cunningham	Glynn	Maher	Rogers	Whitley
Cuvillier	Goldberg	Mallon	Schmidt	Whitney F G
De Groot	Gray	Mance	Schoeneck	Whitney G H
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1586, Senate re-print No. 1459, Int. No. 997) entitled "An act to amend the County Law, in relation to killing or injuring of horses, cattle or swine by dogs," with a message that they have concurred in the passage of the same, with the following amendments:

On page 4, line 16, after the word "sheep" strike out the comma and the words "horses, cattle, swine". Same page, line 18, after the word "sheep" strike out the comma and the word "horses". Same page, line 19, before the word "or" strike out "cattle, swine".

Mr. Draper moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamn	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Surpless
Buckley	Flanagan	Hooper	Northrup	Todd
Burhyte	Foley C F	Hubbs	Norton	Volk
Burns	Foley J A	Hurd	O'Brian	Voss
Burzynski	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Keller	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Walters
Cole	Ganly	Lee	Phillips	Waters
Colné	Garbe	Lewis	Prince	Weber
Conklin	Geoghagan	Loos	Ralston	Weimert
Conrady	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	West
Cunningham	Glynn	Maher	Rogers	Whitley
Cuvillier	Goldberg	Mallon	Schmidt	Whitney F G

De Groot	Gray	Mance	Schoeneck	Whitney G H
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1907, Senate reprint No. 1382, Int. No. 1041) entitled "An act to amend the County Law, in relation to the compensation of supervisors," with a message that they have concurred in the passage of the same, with the following amendments:

On page 2, line 20, after "Erie" insert "Kings". Same page and line, after "Montgomery" insert "Monroe".

Mr. Eggleston moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	McCue	Shuttleworth
Averill	Draper	Hammond	Merritt	Sinclair
Baldwin	Dudley	Hamm	Miller	Smith A E
Blue	Duell	Harawitz	Mills	Smith C
Bohan	Eagleton	Harper	Mooney	Smith Myron
Boshart	Eggleston	Harris	Morgan	Staley
Brady	Eichhorn	Hart	Murphy C F	Stern
Brooks	Ferguson	Hastings	Murphy G W	Stevenson
Brough	Feth	Hoey	Nevins	Stratton
Brown	Filley	Holmes	Newton	Surpluss
Buckley	Flanagan	Hooper	Northrup	Todd
Burhyte	Foley C F	Hubbs	Norton	Volk
Burns	Foley J A	Hurd	O'Brian	Voss
Burzynski	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Keller	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Walters
Cole	Ganly	Lee	Phillips	Waters
Colné	Garbe	Lewis	Prince	Weber
Conklin	Geoghagan	Loos	Ralston	Weimert
Conrady	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	West
Cunningham	Glynn	Maher	Rogers	Whitley

Cuvillier  
De Groot  
Dobbs  
Dominy  
Donnelly

Goldberg  
Gray  
Green  
Gunderman  
Hackett

Mallon  
Mance  
Marlatt  
Matthews

Schmidt  
Schoeneck  
Schulz  
Sheridan

Whitney F G  
Whitney G H  
Yale  
Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Assembly bill (No. 1862, Senate reprint No. 1392, Int. No. 622) entitled "An act to amend chapter seven hundred and thirty-four of the Laws of nineteen hundred and four, entitled 'An act to establish a permanent commission for the regulation of the flow of water courses in this State in aid of the public health and safety, to be known as the river improvement commission,' in relation to authority of commission to perform the work and to issue certificates and bonds in payment therefor," with a message that they have concurred in the passage of the same, with the following amendments:

On page 5, line 1, strike out "fifteen" and insert in lieu thereof "ten". Same page, line 3, before "provided" insert "and". Same page, line 4, strike out "fifteen" and insert in lieu thereof "ten". Same page, line 5, after "improvement" strike out "the subject of". Same page, line 6, before "which" insert "for".

Mr. Moreland moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allan  
Averill  
Baldwin  
Blue  
Bohan  
Boshart  
Brady  
Brooks  
Brough  
Brown

Dowling  
Draper  
Dudley  
Duell  
Eagleton  
Eggleston  
Eichhorn  
Ferguson  
Feth  
Filley

Hamilton  
Hammond  
Hamn  
Harawitz  
Harper  
Harris  
Hart  
Hastings  
Hoey  
Holmes

McCue  
Merritt  
Miller  
Mills  
Mooney  
Morgan  
Murphy C F  
Murphy G W  
Nevins  
Newton

Shuttleworth  
Sinclair  
Smith A E  
Smith C  
Smith Myron  
Staley  
Stern  
Stevenson  
Stratton  
Surpluss

Buckley	Flanagan	Hooper	Northrup	Todd
Burhyte	Foley C F	Hubbs	Norton	Volk
Burns	Foley J A	Hurd	O'Brian	Voss
Burzynski	Fowler	Jackson	Oliver	Waddell
Cavanaugh	Francis	Keller	Parker	Wagner
Chamberlain	Frisbie	Lansing	Patton	Walters
Cole	Ganly	Lee	Phillips	Waters
Colné	Garbe	Lewis	Prince	Weber
Conklin	Geoghagan	Loos	Ralston	Weimert
Conrady	Glore	Lowe	Reece	Wells
Croak	Gluck	Lupton	Robinson	West
Cunningham	Glynn	Maher	Rogers	Whitley
Cuvillier	Goldberg	Mallon	Schmidt	Whitney F G
De Groot	Gray	Mance	Schoneck	Whitney G H
Dobbs	Green	Marlatt	Schulz	Yale
Dominy	Gunderman	Matthews	Sheridan	Young
Donnelly	Hackett			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the bill (No. 2544, Int. No. 1734) entitled "An act to amend chapter one hundred and thirty-one of the Laws of nineteen hundred and seven, entitled 'An act to authorize the city of Utica to borrow money and issue bonds for the purpose of completing the changing of the channel of the Mohawk river between said city and the town of Deerfield, and to authorize the Superintendent of Public Works to accept said new channel,' relative to the rate of interest to be paid on bonds," with a message that they have concurred in the passage of the same without amendment.

Said bill having been announced, Mr. Hart moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Allen	Dowling	Hackett	Matthews	Sheridan
Averill	Draper	Hamilton	McCue	Shuttleworth
Baldwin	Dudley	Hammond	Merritt	Sinclair
Blue	Duell	Hamn	Miller	Smith A E
Bohan	Eagleton	Harawitz	Mills	Smith C
Boshart	Eggleston	Harper	Mooney	Smith Myron

Brady	Eichhorn	Harris	Morgan	Staley
Brooks	Ferguson	Hart	Murphy C F	Stern
Brough	Feth	Hastings	Murphy G W	Stevenson
Brown	Filley	Hoey	Nevins	Stratton
Buckley	Flanagan	Holmes	Newton	Surpless
Burhyte	Foley C F	Hooper	Northrup	Todd
Burns	Foley J A	Hubbs	Norton	Volk
Burzynski	Fowler	Hurd	O'Brian	Voss
Cavanaugh	Francis	Jackson	Oliver	Waddell
Chamberlain	Frisbie	Keller	Parker	Wagner
Cole	Ganly	Lansing	Patton	Waters
Colné	Garbe	Lee	Phillips	Weber
Conklin	Geoghagan	Lewis	Prince	Weimert
Conrady	Glore	Loos	Ralston	Wells
Croak	Gluck	Lowe	Reece	West
Cunningham	Glynn	Lupton	Robinson	Whitley
Cuvillier	Goldberg	Maher	Rogers	Whitney F G
De Groot	Gray	Mallon	Schmidt	Whitney G H
Dobbs	Green	Mance	Schoeneck	Yale
Dominy	Gunderman	Marlatt	Schulz	Young
Donnelly				

Mr. Hart moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 2, line 23, after the word "sum" strike out the words "of fifty thousand dollars" and insert in place thereof the words "actually required to complete the changing of said channel as above provided in this section".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Dowling, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication was received from Hon. E. P. Mann, mayor of the city of Troy, returning Assembly bill (No. 2051, Int. No. S13) entitled "An act to amend chapter two hundred and fifty-nine of the Laws of nineteen hundred, entitled 'An act to change the name of the Justices' Court of the city of Troy to the "City Court of Troy," to prescribe the manner of the appointment of the clerk thereof, and of marshals and attendants upon said court, to increase the jurisdiction thereof, to abolish the office of constable in the city of Troy, and to regulate the practice in said court generally," with a message that said mayor and the common council of said city, after a public hearing thereon, do not approve said bill nor accept the same.

Mr. Speaker stated the question to be, "Shall this bill pass

notwithstanding the objection of the common council, the legislative body of the city of Troy, thereto?" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

AYES 130

NOES 1

Those who voted in the affirmative were:

Allen	Donnelly	Gunderman	Marlatt	Sheridan
Averill	Dowling	Hackett	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Blue	Dudley	Hammond	Merritt	Smith A E
Bohan	Duell	Hamn	Miller	Smith C
Boshart	Eagleton	Harawitz	Mills	Smith Myron
Brady	Eggleston	Harper	Mooney	Staley
Brooks	Eichhorn	Harris	Morgan	Stern
Brough	Ferguson	Hart	Murphy C F	Stevenson
Brown	Feth	Hastings	Murphy G W	Stratton
Buckley	Filley	Hoey	Nevins	Surpless
Burhyte	Flanagan	Holmes	Newton	Todd
Burns	Foley C F	Hooper	Northrup	Volk
Burzynski	Foley J A	Hubbs	Norton	Voss
Cavanaugh	Fowler	Hurd	O'Brian	Waddell
Chamberlain	Francis	Jackson	Parker	Wagner
Cole	Frisbie	Keller	Patton	Walters
Colné	Ganly	Lansing	Phillips	Waters
Conklin	Garbe	Lee	Prince	Weber
Conrady	Geoghagan	Lewis	Ralston	Weimert
Croak	Glore	Loos	Reece	Wells
Cunningham	Gluck	Lowe	Robinson	Whitley
Cuvillier	Glynn	Lupton	Rogers	Whitney F G
De Groot	Goldberg	Maher	Schmidt	Whitney G H
Dobbs	Gray	Mallon	Schoeneck	Yale
Dominy	Green	Mance	Schulz	Young

In the negative:

Oliver

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. F. G. Whitney offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1845, Int. No. 1444), entitled "An act to amend chapter three hundred and ninety-four of the laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' in relation to salaries of clerk, police officers, policemen and janitors," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Reece offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 529, Int. No. 513), entitled "An act to enable the police commissioner of the city of New York to rehear and determine the charges against Richard Dillon, a policeman of the second grade, for reinstatement in said department," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Burhyte offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1296, Int. No. 1091), entitled "An act prohibiting the board of supervisors of the county of Madison from changing the site and location of the Madison county buildings and offices when the site and location of the same shall be designated and approved by a majority of the electors of said county," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the bill (No. 2297, Int. No. 1672) entitled "An act authorizing the city of Lockport to issue bonds, for the purpose of acquiring real property for a site for a public market and constructing the same," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Lockport.

The Senate returned the bill (No. 1725, Int. No. 1159) en-

titled "An act to provide a park board in and for the city of Utica," with a message that they have again concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 1967, Int. No. 1511) entitled "An act to amend section one of chapter two hundred and forty-two of the Laws of eighteen hundred and ninety-nine, entitled 'An act authorizing the acquisition of lands by the United States for the purpose of erecting public buildings thereon for post-offices and other government offices in the cities of this State, and ceding jurisdiction over such lands.'"

Also, the bill (No. 1522, Int. No. 931) entitled "An act to amend chapter two hundred and fifty-six of the Laws of nineteen hundred, entitled 'An act to provide for the erection of an armory in the city of Buffalo, for the use of the Sixty-fifth Regiment, National Guard, and making an appropriation therefor,' providing for the purchase of a site for such armory and the taking of real estate therefor," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill (No. 1780, Int. No. 1400) entitled "An act to amend the Greater New York charter, relative to the department of docks and ferries," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 2309, Int. No. 1521) entitled "An act to amend chapter forty-four of the Laws of eighteen hundred and fifty-three, entitled 'An act for the better support of the poor in the town of Newburgh, in the county of Orange,' in relation to said town receiving credit for excise moneys," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Newburgh.

The Senate returned the bill (No. 2268, Int. No. 1536) entitled "An act to amend chapter four hundred and seventy-one of the Laws of nineteen hundred and five, entitled 'An act to au-

thorize the city of New Rochelle to borrow money for street improvements and issue bonds therefor,' relative to the rate of interest to be paid on bonds," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New Rochelle.

The Senate returned the bill (No. 2306, Int. No. 1538) entitled "An act to amend chapter two hundred and thirty-six of the Laws of nineteen hundred and five, entitled 'An act to authorize the common council of the city of New Rochelle to procure an assessment map of said city, and to issue bonds in payment therefor,' relative to the rate of interest to be paid on bonds," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New Rochelle.

The Senate returned the bill (No. 2307, Int. No. 1537) entitled "An act to amend chapter five hundred and forty-six of the Laws of nineteen hundred and six, entitled 'An act to authorize the common council of the city of New Rochelle to issue and sell bonds of said city for the uses and purposes of the fire department of said city,' relative to the rate of interest to be paid on bonds," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New Rochelle.

The Senate returned the bill (No. 2546, Int. No. 1690) entitled "An act to amend chapter two hundred and twelve of the Laws of eighteen hundred and eighty-eight, entitled 'An act to incorporate the city of Ithaca,' generally," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Ithaca.

The Senate returned the bill (No. 2545, Int. No. 1689) entitled "An act to amend chapter three hundred and fifty-eight of the Laws of eighteen hundred and ninety-three, entitled 'An act to provide for the support of the poor in the city of Ithaca,' rela-

tive to providing funds for the board of health," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Ithaca.

The Senate returned the bill (No. 2205, Int. No. 1487) entitled "An act to abolish the board of park commissioners in and for the city of Yonkers," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Yonkers.

The Senate returned the bill (No. 2158, Int. No. 1599) entitled "An act to establish a pension fund for the paid fire department of the city of Yonkers," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Yonkers.

The Senate returned the bill (No. 2156, Int. No. 1597) entitled "An act to authorize the common council of the city of Yonkers to establish sewage disposal plants in the Seventh ward, as now established, in the city of Yonkers and to empower the common council of said city to raise the necessary funds therefor," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Yonkers.

The Senate returned the bill (No. 1638, Int. No. 227) entitled "An act to amend chapter six hundred and forty-three of the Laws of eighteen hundred and ninety-nine, entitled 'An act in relation to the opening of the highway or avenue, in the former town of Flatbush, Kings county, now a part of the city of New York,' " with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 27, Int. No. 27) entitled "An act to provide for the retaxation by the Appellate Division of the Supreme Court of the State of New York for the second

judicial department of the claim of Nelson J. Waterbury, junior, as surviving partner of the firm of N. J. and N. J. Waterbury, junior, for services rendered by them for the city of New York in the trial of the claim of George R. Sheldon, as assignee of William H. deForrest, under the provisions of chapter four hundred and ninety of the Laws of eighteen hundred and eighty-three, entitled 'An act to provide new reservoirs, dams and a new aqueduct with the appurtenances thereto, for the purpose of supplying the city of New York with an increased supply of pure and wholesome water,' and the acts amendatory thereof," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 2036, Int. No. 1402) entitled "An act to establish a police pension fund for the city of Poughkeepsie," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Poughkeepsie.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1845, Int. No. 1444) entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' in relation to salaries of clerk, police officers, policemen and janitors," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1296, Int. No. 1091) entitled "An act prohibiting the board of supervisors of the county of Madison from changing the site and location of the Madison county buildings and offices when the site and location of the same shall be designated and approved by a majority of the electors of said county," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 529, Int. No. 513) entitled "An act to enable the police commissioner of the city of New York to rehear and determine the charges against Richard Dillon, a policeman of the second grade, for reinstatement in said department," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication from the Governor was received and read, in the words following:

#### STATE OF NEW YORK:

EXECUTIVE CHAMBER.

ALBANY, May 3, 1907.

*To the Assembly:*

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1637, Senate reprint No. 1259, Int. No. 1082), entitled "An act to amend the primary election law, in relation to excepting first, second and certain third class cities from special enrollment and changing date when enrollment books shall be delivered."

CHARLES E. HUGHES.

A communication was received from Hon. George B. McClellan, mayor of the city of New York, returning Assembly bill (No. 1385, Int. No. 182) entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relative to trial jurors in the Municipal Court," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 154, Senate reprint No. 1268, Int. No. 154), entitled "An act to

amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals,' relating to actions by wage earners," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 1843, Int. No. 1442), entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul a certain assessment affecting the property of the Evangelical Lutheran Church of the Atonement in the borough of Manhattan," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 2176, Int. No. 1374), entitled "An act to amend the Greater New York charter, in relation to the health department pension fund," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 1105, Int. No. 963), entitled "An act to provide for the construction of extensions of the building in the Central park, in the city of New York, occupied by the Metropolitan Museum of Art, and for the changing, equipping and fitting up of such building and extensions," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 1130, Int. No. 367), entitled "An act to amend the Greater New York charter, relative to the acquirement and operation of ferries and the acquirement of property therefor," with a message that

said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Jno. H. Coyne, mayor of the city of Yonkers, returning Assembly bill (No. 1941, Int. No. 1489), entitled "An act to amend chapter five hundred and seventy-nine of the Laws of nineteen hundred and three, entitled 'An act to enable the city of Yonkers to erect a city hall and purchase the necessary land therefor, and to provide for the issue of bonds for the payment therefor,' " with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Jno. H. Coyne, mayor of the city of Yonkers, returning Assembly bill (No. 2120, Int. No. 1299), entitled "An act to amend chapter five hundred and thirty-one of the Laws of nineteen hundred, entitled 'An act to provide for a police pension fund for the police force of the city of Yonkers,' " with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. A. M. Thompson, mayor of the city of Kingston, returning Assembly bill (No. 2041, Int. No. 1173), entitled "An act to amend chapter seven hundred and forty-seven of the Laws of eighteen hundred and ninety-six, entitled 'An act to revise and consolidate the several acts in relation to the city of Kingston, to revise the charter of said city, and to establish a city court therein and define its jurisdiction and powers,' generally," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

A communication was received from Hon. Rugene Walwrath, mayor of the city of Little Falls, returning Assembly bill (No. 1890, Int. No. 1477), entitled "An act to authorize the city of Little Falls, New York, to enlarge, improve and perfect its supply of pure and wholesome water and to issue bonds to raise money

for such purpose," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 1791, Int. No. 224), entitled "An act to amend the Greater New York charter, relative to powers and duties of borough presidents," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 328, Int. No. 327), entitled "An act for the relief of Eugene Lentillon, in payment for work done for and material furnished to the city of New York," with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

Mr. Patton of Erie was excused until Thursday next.

Mr. Wood of Jefferson was excused until Monday next.

On motion of Mr. Moreland, the House adjourned.

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### WEDNESDAY, MAY 8, 1907.

The House met pursuant to adjournment.

Prayer by Rev. H. Douglas Spaeth.

On motion of Mr. Moreland, the reading of the journal of yesterday was dispensed with, and the same was approved.

Mr. Speaker presented the annual report of the Trustees of the Sailors' Snug Harbor, which was laid upon the table and ordered printed.

(See Document No. 57.)

Also, the Twenty-second Annual Report of the Northern New York Institution for Deaf-Mutes, which was laid upon the table.

Mr. Eagleton gives notice that he requests that Assembly bill (No. 2189, Int. No. 1626) entitled "An act to amend the Greater

New York charter, in relation to providing partial compensation to owners of diseased horses slain by order of department of health in the city of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. F. G. Whitney gives notice that he requests that Assembly bill (No. 2631, Int. No. 1840) entitled "An act to amend chapter sixty-three of the Laws of nineteen hundred and two, entitled 'An act to incorporate the city of Fulton,' in relation to the compensation of members of the fire and police departments," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Wainwright gives notice that he requests that Assembly bill (No. 2079, Int. No. 1566) entitled "An act to amend the Public Health Law, in relation to adulteration and misbranding of drugs and liquors," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Hastings gives notice that he requests that Assembly bill (No. 2611, Int. No. 1824) entitled "An act to amend chapter two hundred and three of the Laws of nineteen hundred and seven, entitled 'An act to revise and amend the charter of the city of Newburgh, being chapter five hundred and forty-one of the Laws of eighteen hundred and sixty-five, and the several acts amendatory thereof and supplemental thereto,' generally," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Myron Smith gives notice that he requests that Assembly bill (No. 1626, Int. No. 1314) entitled "An act to amend the Tax Law, in relation to refund of tax paid upon illegal, erroneous or unequal assessments," a copy of which is hereto annexed, be made a special order, and asks that his request be referred

to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Miller gives notice that he requests that Assembly bill (No. 2191, Int. No. 1628) entitled "An act to amend the Code of Civil Procedure, in relation to the proof required and the contents of an order in an application for the abandonment of condemnation proceedings," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Wells gives notice that he requests that Assembly bill (No. 2639, Int. No. 1054) entitled "An act to amend the Greater New York charter and the Municipal Court Act of the city of New York, by providing for a reorganization of the Municipal Court of the city of New York and for changes in the constitution and in the powers of said court and in the practice therein; and assistant clerks and to regulate the salaries of the justices thereof," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Wells gives notice that he requests that Assembly bill (No. 1607, Int. No. 1296) entitled "An act to amend the Military Code, relative to the composition and strength of the National Guard," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. O'Brian gives notice that he requests that the Senate bill (No. 1263, Rec. No. 297) entitled "An act authorizing the Commissioners of the Land Office to make a grant or grants of lands under the waters of Niagara river to the city of Buffalo for a pumping station site and for other municipal purposes, for a nominal consideration, and abandoning certain lands within the blue line of the Erie canal," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Lewis gives notice that he requests that the Senate bill (No. 1360, Rec. No. 331) entitled "An act to amend chapter ninety-eight of the Laws of nineteen hundred, entitled 'An act making the office of treasurer of Oneida county a salaried office and regulating the management thereof,'" a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Hart gives notice that he requests that the Senate bill (No. 1228, Rec. No. 334) entitled "An act to provide for the continuance of the index system now employed by the county clerk and the surrogate of Oneida county to cover the entire files of papers in their respective offices and for the removal of the files and records kept in those offices to the new county building in the city of Utica and to provide for the expenses thereof," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Hamm gives notice that he requests that the Senate bill (No. 1200, Rec. No. 261) entitled "An act to amend the Election Law, in relation to independent nominations," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Bohan gives notice that he requests that the Senate bill (No. 1414, Rec. No. 326) entitled "An act in relation to the Court of General Sessions of the county of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Gray gives notice that he requests that Senate bill (No. 1260, Rec. No. 277) entitled "An act to amend chapter one hundred and twenty-seven of the Laws of eighteen hundred and sixty-six, entitled 'An act relative to the collection of taxes in the town of Oswegatchie, in the county of Saint Lawrence,' in relation to the manner of collecting such taxes," a copy of which

is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Bohan gives notice that he requests that the Senate bill (No. 1220, Rec. No. 320) entitled "An act to amend the Banking Law, in relation to the Superintendent taking possession of banks or individual banker's property and giving notice thereof, and forbidding subsequent payments and clearances," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Appgar gives notice that he requests that the Senate bill (No. 1243, Rec. No. 303) entitled "An act to establish school district number one in the town of Ossining in Westchester county as a union free school district, to fix the boundaries of such district, to create its board of education a body corporate and to provide for the number, qualifications, appointment and election of the members of such board," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Ferguson gives notice that he requests that the Senate bill (No. 860, Rec. No. 249) entitled "An act to authorize the town of Frankfort in Herkimer county, to regulate and control the flow of water in Moyer creek," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Burns gives notice that he requests that Senate bill (No. 984, Rec. No. 210) entitled "An act to amend the Greater New York charter, relative to the appointment of custodians of public schools," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. F. G. Whitney gives notice that he requests that the Senate bill (No. 802, Rec. No. 232) entitled "An act to reappropriate money for the erection of a new armory building in the

city of Oswego, as provided for by chapter seven hundred forty-two of the Laws of nineteen hundred five," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Wainwright gives notice that he requests that the Senate bill (No. 1301, Rec. No. 286) entitled "An act to amend chapter five hundred and eighteen of the Laws of eighteen hundred and sixty-seven, entitled 'An act to amend an act entitled "An act to incorporate the village of White Plains," passed April third, eighteen hundred and sixty-six, in relation to the powers and duties of village trustees, et cetera,' " a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on third reading.

Mr. Merritt gives notice that he requests that the Senate bill (No. 649, Rec. No. 292) entitled "An act to amend the Insanity Law, relative to the support and maintenance of patients in State hospitals," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Whitley gives notice that he requests that Senate bill (No. 1094, Assembly reprint 2588, Rec. No. 204) entitled "An act to amend section two hundred and twenty-one of the Code of Civil Procedure, relative to the salaries of certain clerks and deputy clerks of the Appellate Divisions of the third and fourth departments," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Mance gives notice that he requests that Assembly bill (No. 2543, Int. No. 1760) entitled "An act to incorporate the city of Port Jervis," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Dowling gives notice that he requests that Assembly bill (No. 2492, Int. No. 954) entitled "An act to amend the Greater

New York charter, relative to the police pension fund," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Prentice gives notice that he requests that Assembly bill (No. 2575, Int. No. 1810) entitled "An act to amend the Primary Election Law, relative to annual primary day," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Prentice gives notice that he requests that Senate bill (No. 837, Rec. No. 225) entitled "An act to amend the Greater New York charter, in relation to inferior courts of criminal jurisdiction," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Blue gives notice that he requests that the Senate bill (No. 1359, Rec. No. 332) entitled "An act to amend chapter three hundred and twenty-one of the Laws of eighteen hundred and ninety-eight, entitled 'An act to make the office of sheriff of Oneida county a salaried office, and to regulate the management thereof,' relative to the appointment and compensation of an office deputy," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

The Senate sent for concurrence the following entitled bills:

"An act to establish a retirement fund for teachers, principals and supervisors of the public schools in the city of Albany, and to regulate the collection, management and disbursement thereof" (No. 1462, Rec. No. 330), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter three hundred and thirty-four of the Laws of nineteen hundred and one, entitled 'An act in relation to tenement houses in cities of the first class,' as heretofore

amended " (No. 1368, Rec. No. 349), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter one hundred and forty-seven of the Laws of nineteen hundred and three, entitled 'An act making provision for issuing bonds to the amount of not to exceed one hundred and one million dollars, for the improvement of the Erie canal, the Oswego canal and the Champlain canal, and providing for a submission of the same to the people to be voted upon at the general election to be held in the year nineteen hundred and three,' in relation to the lease or sale of water" (No. 752, Rec. No. 350), which was read the first time and referred to the committee on canals.

"An act to amend the Tax Law, relative to the taxation of personal property" (No. 1515, Rec. No. 351), which was read the first time and referred to the committee on taxation and retrenchment.

"An act to prescribe regulations for the review of apportionments by the Legislature or other bodies" (No. 1377, Rec. No. 352), which was read the first time and referred to the committee on the judiciary.

"An act to amend the General City Law, in relation to plumbers" (No. 1458, Rec. No. 353), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Code of Civil Procedure, relative to the trial of issues" (No. 1434, Rec. No. 354), which was read the first time.

On motion of Mr. Robinson, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Robinson, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Smith Myron
Bohan	Eggleston	Harper	Morgan	Staley
Boshart	Eichhorn	Harris	Murphy C F	Stern
Brady	Farrell	Hart	Murphy G W	Stratton
Brough	Ferguson	Hoey	Nevins	Surpless
Brown	Feth	Holmes	Northrup	Todd
Buckley	Filley	Hubbs	Norton	Volk
Burhyte	Flanagan	Hurd	O'Brian	Voss
Burns	Foley J A	Huth	Oliver	Waddell
Burzynski	Fowler	Jacobs	Parker	Wainwright
Chamberlain	Francis	Keller	Phillips	Walters
Cole	Frisbie	Lansing	Prentice	Waters
Collins	Ganly	Lee	Prince	Weber
Colné	Garbe	Lewis	Ralston	Weimert
Conklin	Geoghagan	Loos	Reece	Wells
Conrady	Glore	Lowe	Robinson	Whitley
Croak	Gluck	Lupton	Rogers	Whitney F G
Cunningham	Glynn	Maher	Schmidt	Whitney G H
Cuvillier	Goldberg	Mallon	Schoeneck	Winters
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to amend the uniform charter of cities of the second class, in relation to public markets" (No. 1443, Rec. No. 355), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter six hundred and seventy of the Laws of nineteen hundred and six, entitled 'An act to establish a new State prison in the eastern part of the State to take the place of Sing Sing prison; to authorize the Governor to appoint a commission to select and purchase a site,' in relation to such site and transfer of prisoners thereto, and making an additional appropriation" (No. 1460, Rec. No. 356), which was read the first time and referred to the committee on ways and means.

"An act to amend the Greater New York charter, relative to the New York fire department relief-fund and pensions" (No.

1437, Rec. No. 357), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Norton introduced a bill entitled "An act to establish a ferry from the highway which runs about forty rods south of Wright's station, in the county of Washington, across Lake Champlain" (Int. No. 1864), which was read the first time and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Dobbs introduced a bill entitled "An act to amend the Greater New York charter, in relation to the bureau of buildings and building code, and adding new sections thereto, relating to the construction, alteration, removal, plumbing and drainage, of buildings, structures and premises in the city of New York, and containing provisions for the enforcement of said building code, and the laws and ordinances relating to the construction, alteration, removal, plumbing and drainage of buildings, structures and premises in said city, and for the recovery of the costs and expenses incurred in the execution of the provisions of said building code, laws and ordinances, and imposing fines, penalties and punishment for the violation of said building code, laws and ordinances" (Int. No. 1865), which was read the first time and referred to the committee on affairs of cities.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Eagleton (No. 2189, Int. No. 1626), entitled "An act to amend the Greater New York charter, in relation to providing partial compensation to owners of diseased horses slain by order of the department of health in the city of New York."

Also, Assembly bill introduced by Mr. F. G. Whitney (No. 2631, Int. No. 1840), entitled "An act to amend chapter sixty-three of the Laws of nineteen hundred and two, entitled 'An act to incorporate the city of Fulton,' in relation to the compensation of members of the fire and police departments."

Also, Assembly bill introduced by Mr. Wainwright (No. 2079, Int. No. 1566), entitled "An act to amend the Public Health

Law, in relation to adulteration and misbranding of drugs and liquors."

Also, Assembly bill introduced by Mr. Hastings (No. 2611, Int. No. 1824), entitled "An act to amend chapter two hundred and three of the Laws of nineteen hundred and seven, entitled 'An act to revise and amend the charter of the city of Newburgh, being chapter five hundred and forty-one of the Laws of eighteen hundred and sixty-five, and the several acts amendatory thereof and supplemental thereto,' generally."

Also, Assembly bill introduced by Mr. Myron Smith (No. 1626, Int. No. 1314), entitled "An act to amend the Tax Law, in relation to refund on tax paid upon illegal, erroneous or unequal assessments," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Miller (No. 2191, Int. No. 1628), entitled "An act to amend the Code of Civil Procedure, in relation to the proof required and the contents of an order in an application for the abandonment of condemnation proceedings."

Also, Assembly bill introduced by Mr. Wells (No. 2639, Int. No. 1054), entitled "An act to amend the Greater New York charter and the Municipal Court Act of the city of New York, by providing for a reorganization of the Municipal Court of the city of New York, and for changes in the constitution and in the powers of said court and in the practice therein, and assistant clerks and to regulate salaries of the justices thereof."

Also, Assembly bill introduced by Mr. Wells (No. 1607, Int. No. 1296), entitled "An act to amend the Military Code, relative to the composition and strength of the National Guard," reported in favor of the passage of the same without amendment, and that the same be made a special order on third reading immediately,

which report was agreed to, and said bills ordered made special orders on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Hill (No. 1263, Rec. No. 297), entitled "An act authorizing the Commissioners of the Land Office to make a grant or grants of land under the waters of Niagara river to the city of Buffalo for a pumping station site and for other municipal purposes, for a nominal consideration, and abandoning certain lands within the blue line of the Erie canal."

Also, Senate bill introduced by Mr. Ackroyd (No. 1360, Rec. No. 331), entitled "An act to amend chapter ninety-eight of the Laws of nineteen hundred, entitled 'An act making the office of treasurer of Oneida county a salaried office, and regulating the management thereof.'"

Also, Senate bill introduced by Mr. Ackroyd (No. 1228, Rec. No. 334), entitled "An act to provide for the continuance of the index systems now employed by the county clerk and the surrogate of Oneida county to cover the entire files of papers in their respective offices, and for the removal of the files and records kept in those offices to the new county building in the city of Utica and to provide for the expenses thereof."

Also, Senate bill introduced by Mr. Raines (No. 1200, Rec. No. 261), entitled "An act to amend the Election Law, in relation to independent nominations."

Also, Senate bill introduced by Mr. Sohmer (No. 1414, Rec. No. 326), entitled "An act in relation to the Court of General Sessions of the county of New York."

Also, Senate bill introduced by Mr. McManus (No. 1220, Rec. No. 320), entitled "An act to amend the Banking Law, in relation to the Superintendent taking possession of banks or individual banker's property and giving notice thereof, and forbidding subsequent payments and clearances."

Also, Senate bill introduced by Mr. Heacock (No. 860, Rec. No. 249), entitled "An act to authorize the town of Frankfort, in Herkimer county, to regulate and control the flow of water in Moyer creek."

Also, Senate bill introduced by committee on internal affairs

(No. 1243, Rec. No. 303), entitled "An act to establish school district number one in the town of Ossining in Westchester county as a union free school district, to create its board of education a body corporate and to provide for the number, qualifications, appointment and election of the members of such board."

Also, Senate bill introduced by Mr. Owens (No. 984, Rec. No. 210), entitled "An act to amend the Greater New York charter, relative to the appointment of custodians of public schools."

Also, Senate bill introduced by Mr. Gates (No. 802, Rec. No. 232), entitled "An act to reappropriate money for the erection of a new armory building in the city of Oswego as provided for by chapter seven hundred and forty-two of the Laws of nineteen hundred five."

Also, Senate bill introduced by Mr. Carpenter (No. 1301, Rec. No. 286), entitled "An act to amend chapter five hundred and eighteen of the Laws of eighteen hundred and sixty-seven, entitled 'An act to amend an act entitled "An act to incorporate the village of White Plains,"' passed April third, eighteen hundred and sixty-six, in relation to the powers and duties of village trustees, et cetera."

Also, Senate bill introduced by Mr. Grattan (No. 649, Rec. No. 292), entitled "An act to amend the Insanity Law, relative to the support and maintenance of patients in State hospitals," reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Senate bill introduced by Mr. Dunn (No. 1094, Assembly reprint No. 2588, Rec. No. 204), entitled "An act to amend section two hundred and twenty-one of the Code of Civil Procedure, relative to the salaries of certain clerks and deputy clerks of the Appellate Divisions of the third and fourth departments," reported in favor of the passage of the same without amendment, and that the same be made a special order on third reading imme-

diately, which report was agreed to, and said bill ordered made special orders on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Mance (No. 2543, Int. No. 1760), entitled "An act to incorporate the city of Port Jervis," retaining its place on the order of third reading, reported in favor of the passage of the same, with the following amendments:

Page 67, at the end of line 3, insert the following:

"Highway bridges within the city of Port Jervis shall be constructed and maintained by said city and highway bridges within the town of Deerpark, as constituted by this act, shall be constructed and maintained by said town.

"The expense of the construction and maintenance of highway bridges within the said city and the said town shall, by the common council of the said city and the town board of the said town, respectively, be annually reported to and audited by the board of supervisors of Orange county and apportioned by said board between the said city and the said town in proportion to their assessed valuations as the same shall appear on their respective assessment-rolls as annually equalized by the said board of supervisors; provided, however, that no item of expense for the construction or maintenance of a highway bridge within said town exceeding two hundred and fifty dollars shall be chargeable to or payable by said city unless the same shall have been previously approved by the common council thereof.

"Nothing in this section or act contained shall relieve the city of Port Jervis from such share of the expense of the construction or maintenance of state roads as the village of Port Jervis would or might have been chargeable with as a part of the town of Deerpark, had this act not been passed."

and that the same be reprinted, as amended, and re-engrossed and that when it shall have been on the desks of the members three calendar days it be made a special order on third reading immediately, which report was agreed to, and said bill ordered reprinted, as amended, and re-engrossed and, when it shall have been on the desks of the members three calendar legislative days, it be made a special order on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Dowling (No. 2492, Int. No. 954), entitled "An act to amend the Greater New York charter, relative to the police pension fund and repealing section three hundred and

sixty-six thereof," reported the same with the following amendments:

Strike out, in title, all after the word "fund" in lines 2 and 3, and place a "period" after the word "fund".

On page 14, line 19, before the word "part" insert the italicized words "or her".

On page 14, line 23, after the word "him" insert the italicized words "or her".

On page 14, line 24, after the final word "he" insert the italicized words "or her".

On page 15, line 9, after the word "his" insert the italicized words "or her".

On page 15, line 13, after the word "he" insert the italicized words "or she" and after the second word "he" insert the italicized words "or she".

Page 15, line 18, after the word "him" insert the italicized words "or her".

Page 15, line 21, after the word "him" insert italicized words "or her".

Page 16, line 1, after the word "he" insert the italicized words "or she".

Page 16, line 2, after the word "him" strike out the "period" and insert the italicized words "or her".

Page 17, line 9, after the word "he" insert the italicized words "or she".

Page 17, line 19, after the word "his" insert the italicized words "or her".

Page 17, line 20, after the word "him" insert the italicized words "or her".

Page 18, line 2, after the word "he" insert the italicized words "or she".

Page 18, line 18, place a "bracket" before the line; strike out the italicized words "of the other"; strike out the brackets before and after the word "inspector", and strike out the italicized words "inspectors and to each police".

Page 18, line 19, strike out the italicized word "surgeon".

Page 18, line 20, strike out the brackets before and after the word "the".

Page 18, line 21, strike out the bracket before the word "hereafter".

Page 18, line 23, strike out the brackets after the word "provided".

Page 18, line 24, strike out the brackets before and after the “;”; strike out the “.” and strike out the brackets before the word “and”.

Page 19, line 5, after the word “hereafter” strike out the brackets; strike out the brackets before the word “Pensions”.

Page 19, line 9, after the word “him” insert the italicized words “or her”.

Page 19, line 11, after the italicized word “his” insert the italicized words “or her”.

Page 24, strike out all of lines 19 and 20 and insert in place thereof the following:

“§ 2. Nothing in this act shall be construed to in any way affect, change, alter or impair the provisions of chapter one hundred and sixty of the laws of nineteen hundred and seven.”

Page 23, line 1, strike out the italicized word “and” and begin word “nothing” with a capital “N”.

and requests that said bill be reprinted, as amended, and recommitted to said committee, which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Prentice (No. 2575, Int. No. 1810), entitled “An act to amend the Primary Election Law, relative to annual primary day,” reported in favor of the passage of the same, with the following amendments:

Page 1, line 10, strike out the brackets and the word “Governor”.

Page 1, line 11, strike out the word “is”, the brackets and the word “eight”.

Page 2, line 1, strike out “any”, brackets, the word “year” and the word “sixth”.

Page 2, line 3, after the word “day” insert “except in cities containing a population of one million or over, and in such cities in a year when a governor is to be elected, the eighth Tuesday before the day of general election, and in any other year the sixth Tuesday before the day of general election, shall be known as the annual primary day,”.

Page 3, line 2, strike out the brackets and the word “eighth”.

Page 3, line 3, strike out the bracket.

Page 3, line 4, strike out the bracket.

and that the same be reprinted, as amended, and when it shall have been on the desks of the members three calendar legislative

days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported.

Which report was agreed to, and said bill ordered reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill introduced by Mr. Agnew (No. 837, Rec. No. 225), entitled "An act to amend the Greater New York charter, in relation to inferior courts of criminal jurisdiction," reported in favor of the passage of the same, with the following amendments:

Page 7, insert between lines 8 and 9 the following:

"§ 4. The Greater New York charter is hereby amended by inserting therein a new section to be section thirteen hundred and ninety-seven-a thereof, to read as follows:

#### " NIGHT SESSION.

"§ 1397-a. After the number of magistrates in the first division shall have been increased to sixteen, by appointment of the mayor pursuant to law, the board of city magistrates of the first division shall provide for the holding of a night session of the court to be held in such place and during such hours of each night as the board may direct and shall make assignments of magistrates to hold the same."

Page 7, strike out lines 9 to 17, both inclusive, and insert:

"§ 5. The Comptroller shall issue revenue bonds in such amount as may be required to provide during the current year for the additional expenditures necessitated by this act."

Page 7, line 18, strike out " 5 " and insert " 6 ".

Page 8, line 1, strike out " 6 " and insert " 7 ".

Page 8, line 3, strike out " 7 " and insert " 8 ".

and that the same be reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after consideration of the special orders on third reading theretofore reported.

Which report was agreed to, and said bill ordered reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill introduced by Mr. Ackroyd (No. 1359, Rec. No. 332), entitled "An act to amend chapter three hundred and twenty-one of the Laws of eighteen hundred and ninety-eight, entitled 'An act to make the office of sheriff of Oneida county a salaried office, and to regulate the management thereof,' relative to the appointment and compensation of an office deputy," reported in favor of the passage of the same, with the following amendment:

Page 3, line 8, strike out the word "shall" and insert in place thereof the word "may".

and that the same be reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after consideration of the special orders on third reading theretofore reported.

Which report was agreed to, and said bill ordered reprinted, as amended, and that when it shall have been on the desks of the members three calendar legislative days it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported.

Mr. West, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend chapter one hundred and twenty of the Laws of eighteen hundred and eighty-six, entitled 'An act to revise the charter of the city of Lockport,' in relation to the police and fire departments." (No. 2604, Int. No. 1822.)

"An act to legalize the marriage of George W. Beatty and Lydia Welk and to legitimatize the children of such marriage." (No. 2190, Int. No. 1627.)

"An act to amend the Agricultural Law, in relation to additional sanitary requirements as to dairy products." (No. 2384, Int. No. 1340.)

"An act to amend the Penal Code, in relation to adultery." (No. 2556, Int. No. 1001.)

"An act to amend the Tax Law, in relation to the tax on transfers of stock and refunding taxes erroneously paid or unlawfully exacted." (No. 2640, Int. No. 1397.)

"An act to provide for the employment of convicts on the highways contiguous to lands owned by the State in the town of Dannemora in Clinton county." (No. 2448, Int. No. 1740.)

"An act for the relief of the Sydenham Post Graduate Course and Hospital, by legalizing the acts of its members and directors, the election of its directors, and the enactment of its constitution and by-laws." (No. 1104, Int. No. 962.)

"An act in relation to towns, which, in the year nineteen hundred and six, failed to assess poll taxes as required by section fifty-three of the highway law." (No. 2286, Int. No. 1660.)

"An act to amend the Penal Code, relative to the admission of children under sixteen years of age to places of public amusement." (No. 2620, Int. No. 1388.)

"An act to amend chapter two hundred and sixty-two of the Laws of eighteen hundred and fifty-five, entitled 'An act revising and amending an act, entitled "An act to incorporate the village of Saugerties,"' in relation to the salary of clerk." (No. 2548, Int. No. 1078.)

"An act to regulate and limit the rate of fare to be charged by certain railroads operating between Suspension Bridge and Lewiston in Niagara county." (No. 1054, Int. No. 921.)

"An act to amend section eight of the Code of Criminal Procedure, in relation to the rights of defendants in criminal actions." (No. 174, Int. No. 174.)

"An act to approve a map of the highways prepared by the State Engineer and Surveyor, and to provide for an apportionment of highways to be improved with funds made available by the sale of bonds under the provisions of section twelve of article seven of the Constitution, and to authorize the preparation and distribution of such maps and making an appropriation therefor." (No. 2629, Int. No. 1838.)

Mr. Cuvillier offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on rules be discharged from the further consideration of the bill (No. 509, Int. No. 496) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section six of article three of the Constitution, relating to compensation of members of the Legislature."

Debate was had thereon, when Mr. Moreland moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution of Mr. Cuvillier, and it was determined in the negative.

AYES 29

NOES 57

Those who voted in the affirmative were:

Baumann	Croak	Feth	Glynn	Mallon
Bohan	Cuvillier	Foley C F	Goldberg	Mance
Buckley	Dobbs	Foley J A	Hoey	Schmidt
Cavanaugh	Eichhorn	Ganly	Jackson	Schulz
Collins	Farrell	Garbe	Jacobs	Sheridan
Colné	Fay	Geoghagan	Keller	

Those who voted in the negative were:

Allen	Eagleton	Harawitz	Lowe	Smith A E
Apgar	Eggleston	Harper	Maher	Stanton
Averill	Ferguson	Harris	Merritt	Stevenson
Blue	Filley	Hastings	Miller	Stratton
Boshart	Fowler	Holmes	Moreland	Waddell
Brooks	Francis	Hooper	Murphy C F	Weimert
Brough	Green	Hubbs	Oliver	Wells
Burhyte	Gunderman	Hurd	Parker	West
Burns	Hackett	Lansing	Robinson	Whitney F G
Conklin	Haines	Lee	Shuttleworth	Whitney G H
Dowling	Hammond	Lewis	Sinclair	Young
Dudley	Hamn			

Mr. Speaker announced the special order, being the bill (No. 2152) entitled "An act to amend the Tax Law, and providing for the assessment as a special franchise by the State Board of Tax Commissioners of an occupancy of the streets, highways and public places, where such occupancy has not been ratified by grant from public authority." (Int. No. 1593.)

On motion of Mr. Phillips, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and

upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Apgar	Donnelly	Haines	Merritt	Sinclair
Averill	Dowling	Hamilton	Miller	Smith A E
Baldwin	Draper	Hammond	Mills	Smith C
Baumann	Dudley	Hamn	Mooney	Smith Myron
Blue	Duell	Harawitz	Moreland	Staley
Bohan	Eggleston	Harper	Morgan	Stern
Boshart	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Surpless
Brough	Ferguson	Hoe	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Waddell
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jacobs	Parker	Walters
Chamberlain	Francis	Keller	Phillips	Waters
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Ganly	Lee	Prince	Weimert
Colné	Garbe	Lewis	Ralston	Wells
Conklin	Geoghagan	Loos	Reece	Whitley
Conrady	Glore	Lowe	Robinson	Whitney F G
Croak	Gluck	Lupton	Rogers	Whitney G H
Cunningham	Glynn	Maher	Schmidt	Winters
Cuvillier	Goldberg	Mallon	Schoeneck	Yale
De Groot	Green	Marlatt	Schwegler	Young
Dobbs	Gunderman	Matthews	Sheridan	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2404) entitled "An act to amend the Tax Law, in relation to ascertaining value of special franchises and equalization thereof, powers of State Board of Tax Commissioners, review of assessments and collection of taxes" (Int. No. 1592).

Said bill having been announced for second reading, Mr. Schoeneck moved to amend as follows:

Page 13, line 4, after the word "mayor" insert ", president of the village".

Page 13, line 22, strike out the word "five" and insert "four".

Page 14, line 3, after the word "payment" insert "by subdivision two of section forty-four-a of this chapter".

Page 14, line 4, strike out comma after the word "dismissed" and insert a period.

On page 14, line 4, after the word "dismissed" insert: "To the amount of taxes so required to be paid shall be added the fees or percentages, if any of the collecting or receiving officer, and from the amount of such taxes, plus such fees or percentages, shall be taken the deductions credited to such person, association, copartnership or corporation, pursuant to section forty-six of this chapter on the tax roll, or, if no such credits have been made, or the person, association, copartnership or corporation shall claim that the amount so credited is less than the sum which should have been credited, then there shall be deducted from such tax the amount which the court shall, upon proper proof and after such notice to the State Board of Tax Commissioners and the municipality in interest as it may prescribe, determine by order should have been credited pursuant to the requirements of said section. Pending the determination of the question as to the proper amount of credit which should have been allowed as deductions, on account of payments made, pursuant to the provisions of section forty-six of this chapter, the court to whom the application is made shall stay any and all applications for a dismissal of the action or proceeding to review the assessment, and in a proper case may provide that such stay continue for a reasonable period of time after such determination, not exceeding twenty days, to enable such person, association, copartnership or corporation to comply with the terms of such order, provided, however, that no such stay shall be granted or allowed unless such person, association, copartnership or corporation shall have paid such taxes and fees or percentages, if any less the amount claimed as properly deductible on account of payments which have been made pursuant to said section, and the payment of such tax may be made and received without prejudice to the question as to whether or not any payments which have been made by such person, association, copartnership or corporation are properly credited as deductions under said section. The order of the court made upon such application shall not be appealable, but the allowance or disallowance, as proper deductions or credits, of any payments made pursuant to the provisions of said section shall be an issue in the action or proceeding to be finally determined.

Page 14, line 4, strike out the words "except that" and commence the word "in" with a capital and make it the beginning of a new paragraph.

Page 14, line 8, strike out the word "hereupon" and insert the two words "where upon" with a comma after the word "where".

Page 14, line 9, insert a comma after the word "otherwise".

Page 14, lines 13 and 14, strike out the words "and within fifteen days after the commencement of such action or proceeding" and insert in the place thereof the words "at any time before said tax becomes payable as provided in subdivision two of section forty-four-a of this chapter".

Page 14, line 15, strike out the words "payment and" and insert the words "enforcement or".

Page 14, line 17, after the word "tax" insert "less the deductions allowed".

Page 14, line 26, after the word "city" insert ", president of the village".

Page 15, line 2, strike out the words "payment and" and insert "enforcement or".

Page 15, line 15, after the word "tax" insert "less the deduction allowed".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Phillips, and by unanimous consent, said bill was ordered reprinted and made a special order on second and third reading for Tuesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 2321) entitled "An act to amend the Code of Criminal Procedure, in relation to testimony as to the sanity or insanity of defendant" (Int. No. 1677). Said bill having been announced for a second reading,

On motion of Mr. Moreland, and by unanimous consent, said bill was made a special order on second and third reading for Tuesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the Senate bill (No. 1201, Assembly reprint No. 2637) entitled "An act to amend the State Finance Law, in relation to the duties of State officers concerning receipts and expenditures" (Rec. No. 260). Said bill having been announced for a second reading,

On motion of Mr. Moreland, said bill was recommitted to the committee on rules, retaining its place on the order of second reading.

Mr. Speaker announced the special order, being the Senate bill (No. 1298) entitled "An act to amend the Greater New York charter, relative to the department of corrections and the institutions under the jurisdiction of the commissioner, and to transfer the jail buildings in Kings county from the custody of the sheriff to the commissioner of correction" (Rec. No. 281). Said bill having been announced for second reading,

Mr. Dowling moved to recommit said bill to the committee on rules.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the bill (No. 2531) entitled "An act to authorize the city of Mount Vernon to issue bonds for the purpose of defraying a deficiency in the police fund for the fiscal year beginning May first, nineteen hundred and seven" (Int. No. 1784). Said bill having been announced for a second reading,

On motion of Mr. Wainwright, and by unanimous consent, said bill was made a special order on second and third reading for Thursday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 2636) entitled "An act to amend the State Finance Law, in relation to the duties of State officers concerning receipts and expenditures" (Int. No. 1794).

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Smith Myron

Bohan	Eggleston	Harper	Morgan	Staley
Boshart	Eichhorn	Harris	Murphy C F	Stern
Brady	Farrell	Hart	Murphy G W	Stratton
Brough	Ferguson	Hoey	Nevins	Surpless
Brown	Feth	Holmes	Northrup	Todd
Buckley	Filley	Hubbs	Norton	Volk
Burhyte	Flanagan	Hurd	O'Brian	Voss
Burns	Foley J A	Huth	Oliver	Waddell
Burzynski	Fowler	Jacobs	Parker	Wainwright
Cavanaugh	Francis	Keller	Phillips	Walters
Cole	Frisbie	Lansing	Prentice	Waters
Collins	Ganly	Lee	Prince	Weber
Colné	Garbe	Lewis	Ralston	Weimert
Conklin	Geoghagan	Loos	Reece	Wells
Conrady	Glore	Lowe	Robinson	Whitley
Croak	Gluck	Lupton	Rogers	Whitney F G
Cunningham	Glynn	Maher	Schmidt	Whitney G H
Cuvillier	Goldberg	Mallon	Schoeneck	Winters
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2611) entitled "An act to amend chapter two hundred and three of the Laws of nineteen hundred and seven, entitled 'An act to revise and amend the charter of the city of Newburgh, being chapter five hundred and forty-one of the Laws of eighteen hundred and sixty-five, and the several acts amendatory thereof and supplemental thereto,' generally" (Int. No. 1824).

On motion of Mr. Hastings, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C

Blue	Duell	Harawitz	Moreland	Smith Myron
Bohan	Eggleston	Harper	Morgan	Staley
Boshart	Eichhorn	Harris	Murphy C F	Stern
Brady	Farrell	Hart	Murphy G W	Stanton
Brough	Ferguson	Hoey	Nevins	Surpless
Brown	Feth	Holmes	Northrup	Todd
Buckley	Filley	Hubbs	Norton	Volk
Burhyte	Flanagan	Hurd	O'Brian	Voss
Burns	Foley J A	Huth	Oliver	Waddell
Burzynski	Fowler	Jacobs	Parker	Wainwright
Chamberlain	Francis	Keller	Phillips	Walters
Cole	Frisbie	Lansing	Prentice	Waters
Collins	Ganly	Lee	Prince	Weber
Colné	Garbe	Lewis	Ralston	Weimert
Conklin	Geoghagan	Loos	Reece	Wells
Conrady	Glore	Lowe	Robinson	Whitley
Croak	Gluck	Lupton	Rogers	Whitney F G
Cunningham	Glynn	Maher	Schmidt	Whitney G H
Cuvillier	Goldberg	Mallon	Schoeneck	Winters
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1626) entitled "An act to amend the Tax Law, in relation to refund of tax paid upon illegal, erroneous and unequal assessments." (Int. No. 1314.)

On motion of Mr. Myron Smith, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Smith Myron
Bohan	Eggleston	Harper	Morgan	Staley
Boshart	Eichhorn	Harris	Murphy C F	Stern
Brady	Farrell	Hart	Murphy G W	Stratton

Brough	Ferguson	Hoey	Nevins	Surplless
Brown	Feth	Holmes	Northrup	Todd
Buckley	Filley	Hubbs	Norton	Volk
Burhyte	Flanagan	Hurd	O'Brian	Voss
Burns	Foley J A	Huth	Oliver	Waddell
Burzynski	Fowler	Jacobs	Parker	Wainwright
Chamberlain	Francis	Keller	Phillips	Walters
Cole	Frisbie	Lansing	Prentice	Waters
Collins	Ganly	Lee	Prince	Weber
Colné	Garbe	Lewis	Ralston	Weimert
Conklin	Geoghagan	Loos	Reece	Wells
Conrady	Glore	Lowe	Robinson	Whitley
Croak	Gluck	Lupton	Rogers	Whitney F G
Cunningham	Glynn	Maher	Schmidt	Whitney G H
Cuvillier	Goldberg	Mallon	Schoeneck	Winters
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2189) entitled "An act to amend the Greater New York charter, in relation to providing partial compensation to owners of diseased horses slain by order of the department of health in the city of New York." (Int. No. 1626.)

On motion of Mr. Eagleton, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Smith Myron
Bohan	Eggleston	Harper	Morgan	Staley
Boshart	Eichhorn	Harris	Murphy C F	Stern
Brady	Farrell	Hart	Murphy G W	Stratton
Brough	Ferguson	Hoey	Nevins	Surplless
Brown	Feth	Holmes	Northrup	Todd

Buckley	Filley	Hubbs	Norton	Volk
Burhyte	Flanagan	Hurd	O'Brian	Voss
Burns	Foley J A	Huth	Oliver	Waddell
Burzynski	Fowler	Jacobs	Parker	Wainwright
Chamberlain	Francis	Keller	Phillips	Walters
Cole	Frisbie	Lansing	Prentice	Waters
Collins	Ganly	Lee	Prince	Weber
Colné	Garbe	Lewis	Ralston	Weimert
Conklin	Geoghagan	Loos	Reece	Wells
Conrady	Glore	Lowe	Robinson	Whitley
Croak	Gluck	Lupton	Rogers	Whitney F G
Cunningham	Glynn	Maher	Schmidt	Whitney G H
Cuvillier	Goldberg	Mallon	Schoeneck	Winters
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue	..	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2631) entitled "An act to amend chapter sixty-three of the Laws of nineteen hundred and two, entitled 'An act to incorporate the city of Fulton,' in relation to the compensation of members of the fire and police departments." (Int. No. 1840.)

On motion of Mr. F. G. Whitney, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Smith Myron
Bohan	Eggleston	Harper	Morgan	Staley
Boshart	Eichhorn	Harris	Murphy C F	Stern
Brady	Farrell	Hart	Murphy G W	Stratton
Brough	Ferguson	Hoey	Nevins	Surpluss
Brown	Feth	Holmes	Northrup	Todd
Buckley	Filley	Hubbs	Norton	Volk
Burhyte	Flanagan	Hurd	O'Brian	Voss

Burns	Foley J A	Huth <sup>1</sup>	Oliver	Waddell
Burzynski	Fowler	Jacobs	Parker	Wainwright
Chamberlain	Francis	Keller	Phillips	Walters
Cole	Frisbie	Lansing	Prentice	Waters
Collins	Ganly	Lee	Prince	Weber
Colne	Garbe	Lewis	Ralston	Weimert
Conklin	Geoghagan	Loos	Reece	Wells
Conrady	Glore	Lowe	Robinson	Whitley
Croak	Gluck	Lupton	Rogers	Whitney F G
Cunningham	Glynn	Maher	Schmidt	Whitney G H
Cuvillier	Goldberg	Mallon	Schoeneck	Winters
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2079) entitled "An act to amend the Public Health Law, in relation to adulteration and misbranding of drugs and liquors" (Int. No. 1566). Said bill having been announced for second reading,

Mr. Wainwright moved to amend as follows:

On page 1, line 1, strike out "s" in "sections" and strike out "and forty-one".

On page 1, line 4, strike out "as".

On page 1, strike out all of line 5.

On page 1, line 6, strike out "nineteen hundred and five,".

On page 1, line 6, strike out "are" and insert in place thereof "is".

On page 2, after line 5 and before line 6 insert:

"§ 2. Section forty-one of such chapter, as amended by chapter one hundred and twenty-two of the laws of nineteen hundred and five, is hereby amended to read as follows:".

On page 2, line 8, italicise "in possession with intent to sell".

On page 3, line 2, strike out the second "o" in "pharmacopoeia".

Same page and line, insert ",", after "pharmacopoeia" and italicise "or".

Page 3, line 15, strike out the second "s" in "standards".

Page 4, line 25, after "forms" insert ",",.

Page 5, line 1, after "liquors" insert ",",.

Page 5, line 6, after "confectionery" strike out ":" and insert ",",.

Page 5, line 19, strike out "2" and insert in place thereof "3".

On page 9, line 16, strike out "3" and insert in place thereof "4".

On page 9, line 24, after "thereof" insert " , ,".

On page 10, line 1, after "purpose" insert " , ,".

On page 10, line 4, after "shall" insert " , ,".

On page 10, line 5, after "declarations" insert " , ,".

On page 10, line 6, strike out "chapter" and insert ["article," chapter"].

On page 10, line 23, strike out "4" and insert "5".

On page 10, line 7, after "chapter" insert " , ,".

Page 13, line 11, strike out "5" and insert "6".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to special order of second and third reading.

Mr. Speaker announced the special order, being the Senate bill (No. 1360) entitled "An act to amend chapter ninety-eight of the Laws of nineteen hundred, entitled 'An act making the office of treasurer of Oneida county a salaried office, and regulating the management thereof.'" (Rec. No. 331.)

On motion of Mr. Hart, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Smith Myron
Bohan	Eggleston	Harper	Morgan	Staley
Boshart	Eichhorn	Harris	Murphy C F	Stern
Brady	Farrell	Hart	Murphy G W	Stratton
Brough	Ferguson	Hoey	Nevins	Surpless
Brown	Feth	Holmes	Northrup	Todd
Buckley	Filley	Hubbs	Norton	Volk
Burhyte	Flanagan	Hurd	O'Brien	Voss

Burns	Foley J A	Huth	Oliver	Waddell
Burzynski	Fowler	Jacobs	Parker	Wainwright
Chamberlain	Francis	Keller	Phillips	Walters
Cole	Frisbie	Lansing	Prentice	Waters
Collins	Ganly	Lee	Prince	Weber
Colné	Garbe	Lewis	Ralston	Weimert
Conklin	Geoghagan	Loos	Reece	Wells
Conrady	Glore	Lowe	Robinson	Whitley
Croak	Gluck	Lupton	Rogers	Whitney F G
Cunningham	Glynn	Maher	Schmidt	Whitney G H
Cuvillier	Goldberg	Mallon	Schoeneck	Winters
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1228) entitled "An act to provide for the continuance of the index systems now employed by the county clerk and the surrogate of Oneida county to cover the entire files of papers in their respective offices, and for the removal of the files and records kept in those offices to the new county building in the city of Utica and to provide for the expenses thereof" (Rec. No. 344). Said bill having been announced for second reading, Mr. Lewis moved to amend as follows:

On page 2, line 16, before "3" insert "3. It shall be the duty of the county clerk and surrogate of Oneida county, prior to the extending of the index systems, as provided by this act, to cause all papers belonging to the county of Oneida which in their opinion were of no value on January first, nineteen hundred and seven, to be destroyed, and in the discharge of this duty said clerk and surrogate are hereby authorized to hire such person or persons as are qualified to perform said work."

Page 2, line 16, strike out "3" and insert "4".

Page 2, line 26, strike out "4" and insert "5".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to special order of second and third reading.

Mr. Speaker announced the special order, being the Senate bill (No. 1263) entitled "An act authorizing the Commissioners of the Land Office to make a grant or grants of lands under the waters of

Niagara river to the city of Buffalo for a pumping station site and for other municipal purposes, for a nominal consideration, and abandoning certain lands within the blue line of the Erie canal." (Rec. No. 297.)

On motion of Mr. Patton, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Smith Myron
Bohan	Eagleton	Harper	Morgan	Staley
Boshart	Eichhorn	Harris	Murphy C F	Stern
Brady	Farrell	Hart	Murphy G W	Stratton
Brough	Ferguson	Hoey	Nevins	Surpluss
Brown	Feth	Holmes	Northrup	Todd
Buckley	Filley	Hubbs	Norton	Volk
Burhyte	Flanagan	Hurd	O'Brian	Voss
Burns	Foley J A	Huth	Oliver	Waddell
Burzynski	Fowler	Jacobs	Parker	Wainwright
Chamberlain	Francis	Keller	Phillips	Walters
Cole	Frisbie	Lansing	Prentice	Waters
Collins	Ganly	Lee	Prince	Weber
Colné	Garbe	Lewis	Ralston	Weimert
Conklin	Geoghagan	Loos	Reece	Wells
Conrady	Glore	Lowe	Robinson	Whitley
Croak	Gluck	Lupton	Rogers	Whitney F G
Cunningham	Glynn	Maher	Schmidt	Whitney G H
Cuvillier	Goldberg	Mallon	Schoeneck	Winters
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1301) entitled "An act to amend chapter five hundred and

eighteen of the Laws of eighteen hundred and sixty-seven, entitled 'An act to amend an act entitled "An act to incorporate the village of White Plains," passed April third, eighteen hundred and sixty-six, in relation to the powers and duties of village trustees, et cetera.' " (Rec. No. 286.)

On motion of Mr. Wainwright, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Smith Myron
Bohan	Eggleston	Harper	Morgan	Staley
Boshart	Eichhorn	Harris	Murphy C F	Stern
Brady	Farrell	Hart	Murphy G W	Stratton
Brough	Ferguson	Hoey	Nevins	Surpless
Brown	Feth	Holmes	Northrup	Todd
Buckley	Filley	Hubbs	Norton	Volk
Burhyte	Flanagan	Hurd	O'Brian	Voss
Burns	Foley J A	Huth	Oliver	Waddell
Burzynski	Fowler	Jacobs	Parker	Wainwright
Chamberlain	Francis	Keller	Phillips	Walters
Cole	Frisbie	Lansing	Prentice	Waters
Collins	Ganly	Lee	Prince	Weber
Colné	Garbe	Lewis	Ralston	Weimert
Conklin	Geoghagan	Loos	Reece	Wells
Conrady	Glore	Lowe	Robinson	Whitley
Croak	Gluck	Lupton	Rogers	Whitney F G
Cunningham	Glynn	Maher	Schmidt	Whitney G H
Cuvillier	Goldberg	Mallon	Schoeneck	Winters
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 649) entitled "An act to amend the Insanity Law, relative to the support and maintenance of patients in State hospitals." (Rec. No. 292.)

On motion of Mr. Waters, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Smith Myron
Bohan	Eggleston	Harper	Morgan	Staley
Boshart	Eichhorn	Harris	Murphy C F	Stern
Brady	Farrell	Hart	Murphy G W	Stratton
Brough	Ferguson	Hoey	Nevins	Surpless
Brown	Feth	Holmes	Northrup	Todd
Buckley	Filley	Hubbs	Norton	Volk
Burhyte	Flanagan	Hurd	O'Brian	Voss
Burns	Foley J A	Huth	Oliver	Waddell
Burzynski	Fowler	Jacobs	Parker	Wainwright
Chamberlain	Francis	Keller	Phillips	Walters
Cole	Frisbie	Lansing	Prentice	Waters
Collins	Ganly	Lee	Prince	Weber
Colné	Garbe	Lewis	Ralston	Weimert
Conklin	Geoghagan	Loos	Reece	Wells
Conrady	Glore	Lowe	Robinson	Whitley
Croak	Gluck	Lupton	Rogers	Whitney F G
Cunningham	Glynn	Maher	Schmidt	Whitney G H
Cuvillier	Goldberg	Mallon	Schoeneck	Winters
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 984) entitled "An act to amend the Greater New York

charter, relative to the appointment of custodians of public schools." (Rec. No. 210.)

On motion of Mr. Oliver, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Smith Myron
Bohan	Eggleston	Harper	Morgan	Staley
Boshart	Eichhorn	Harris	Murphy C F	Stern
Brady	Farrell	Hart	Murphy G W	Stratton
Brough	Ferguson	Hoey	Nevins	Surpless
Brown	Feth	Holmes	Northrup	Todd
Buckley	Filley	Hubbs	Norton	Volk
Burhyte	Flanagan	Hurd	O'Brian	Voss
Burns	Foley J A	Huth	Oliver	Waddell
Burzynski	Fowler	Jacobs	Parker	Wainwright
Chamberlain	Francis	Keller	Phillips	Walters
Cole	Frisbie	Lansing	Prentice	Waters
Collins	Ganly	Lee	Prince	Weber
Colné	Garbe	Lewis	Ralston	Weimert
Conklin	Geoghagan	Loos	Reece	Wells
Conrady	Glore	Lowe	Robinson	Whitley
Croak	Gluck	Lupton	Rogers	Whitney F G
Cunningham	Glynn	Maher	Schmidt	Whitney G H
Cuvillier	Goldberg	Mallon	Schoeneck	Winters
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 802) entitled "An act to reappropriate money for the erection of a new armory building in the city of Oswego as provided

for by chapter seven hundred forty-two of the Laws of nineteen hundred five." (Rec. No. 232.)

On motion of Mr. Burhyte, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Smith Myron
Bohan	Eggleston	Harper	Morgan	Staley
Boshart	Eichhorn	Harris	Murphy C F	Stern
Brady	Farrell	Hart	Murphy G W	Stratton
Brough	Ferguson	Hoey	Nevins	Surplless
Brown	Feth	Holmes	Northrup	Todd
Buckley	Filley	Hubbs	Norton	Volk
Burhyte	Flanagan	Hurd	O'Brian	Voss
Burns	Foley J A	Huth	Oliver	Waddell
Burzynski	Fowler	Jacobs	Parker	Wainwright
Chamberlain	Francis	Keller	Phillips	Walters
Cole	Frisbie	Lansing	Prentice	Waters
Collins	Ganly	Lee	Prince	Weber
Colné	Garbe	Lewis	Ralston	Weimert
Conklin	Geoghagan	Loos	Reece	Wells
Conrady	Glore	Lowe	Robinson	Whitley
Croak	Gluck	Lupton	Rogers	Whitney F G
Cunningham	Glynn	Maher	Schmidt	Whitney G H
Cuvillier	Goldberg	Mallon	Schoeneck	Winters
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 860) entitled "An act to authorize the town of Frankfort, in Herkimer county, to regulate and control the flow of water in Moyer creek." (Rec. No. 249.)

On motion of Mr. Ferguson, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Smith Myron
Bohan	Eggleston	Harper	Morgan	Staley
Boshart	Eichhorn	Harris	Murphy C F	Stern
Brady	Farrell	Hart	Murphy G W	Stratton
Brough	Ferguson	Hoey	Nevins	Surpless
Brown	Feth	Holmes	Northrup	Todd
Buckley	Filley	Hubbs	Norton	Volk
Burhyte	Flanagan	Hurd	O'Brian	Voss
Burns	Foley J A	Huth	Oliver	Waddell
Burzynski	Fowler	Jacobs	Parker	Wainwright
Chamberlain	Francis	Keller	Phillips	Walters
Cole	Frisbie	Lansing	Prentice	Waters
Collins	Ganly	Lee	Prince	Weber
Colné	Garbe	Lewis	Ralston	Weimert
Conklin	Geoghagan	Loos	Reece	Wells
Conrady	Glore	Lowe	Robinson	Whitley
Croak	Gluck	Lupton	Rogers	Whitney F G
Cunningham	Glynn	Maher	Schmidt	Whitney G H
Cuvillier	Goldberg	Mallon	Schoeneck	Winters
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1243) entitled "An act to establish school district number one in the town of Ossining in Westchester county as a union free school district, to fix the boundaries of such district, to create its board of education a body corporate and to provide for

the number, qualifications, appointment and election of the members of such board." (Rec. No. 303.)

On motion of Mr. Apgar, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamm	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Smith Myron
Bohan	Eggleston	Harper	Morgan	Staley
Boshart	Eichhorn	Harris	Murphy C F	Stern
Brady	Farrell	Hart	Murphy G W	Stratton
Brough	Ferguson	Hoey	Nevins	Surpless
Brown	Feth	Holmes	Northrup	Todd
Buckley	Filley	Hubbs	Norton	Volk
Burhyte	Flanagan	Hurd	O'Brian	Voss
Burns	Foley J A	Huth	Oliver	Waddell
Burzynski	Fowler	Jacobs	Parker	Wainwright
Chamberlain	Francis	Keller	Phillips	Walters
Cole	Frisbie	Lansing	Prentice	Waters
Collins	Ganly	Lee	Prince	Weber
Colné	Garbe	Lewis	Ralston	Weimert
Conklin	Geoghagan	Loos	Reece	Wells
Conrady	Glore	Lowe	Robinson	Whitley
Croak	Gluck	Lupton	Rogers	Whitney F G
Cunningham	Glynn	Maher	Schmidt	Whitney G H
Cuvillier	Goldberg	Mallon	Schoeneck	Winters
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1220) entitled "An act to amend the Banking Law, in relation to the Superintendent taking possession of banks or in-

dividual banker's property and giving notice thereof and forbidding subsequent payments and clearances." (Rec. No. 320.)

On motion of Mr. Oliver, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Apgar	Donnelly	Haines	Merritt	Sinclair
Averill	Dowling	Hamilton	Miller	Smith A E
Baldwin	Draper	Hammond	Mills	Smith C
Baumann	Dudley	Hamn	Mooney	Smith Myron
Blue	Duell	Harawitz	Moreland	Staley
Bohan	Eggleston	Harper	Morgan	Stern
Boshart	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Surpluss
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Waddell
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jacobs	Parker	Walters
Chamberlain	Francis	Keller	Phillips	Waters
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Ganly	Lee	Prince	Weimert
Colné	Garbe	Lewis	Ralston	Wells
Conklin	Geoghagan	Loos	Reece	Whitley
Conrady	Glore	Lowe	Robinson	Whitney F G
Croak	Gluck	Lupton	Rogers	Whitney G H
Cunningham	Glynn	Maher	Schmidt	Winters
Cuvillier	Goldberg	Mallon	Schoeneck	Yale
De Groot	Green	Marlatt	Schwegler	Young
Dobbs	Gunderman	Matthews	Sheridan	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1260) entitled "An act to amend chapter one hundred and twenty-seven of the Laws of eighteen hundred and sixty-six, en-

titled 'An act relative to the collection of taxes in the town of Oswegatchie, in the county of Saint Lawrence,' in relation to the manner of collecting such taxes." (Rec. No. 277.)

On motion of Mr. Merritt, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Apgar	Donnelly	Haines	Merritt	Sinclair
Averill	Dowling	Hamilton	Miller	Smith A F
Baldwin	Draper	Hammond	Mills	Smith C
Baumann	Dudley	Hamn	Mooney	Smith Myron
Blue	Duell	Harawitz	Moreland	Staley
Bohan	Eggleston	Harper	Morgan	Stern
Boshart	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Waddell
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jacobs	Parker	Walters
Chamberlain	Francis	Keller	Phillips	Waters
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Ganly	Lee	Prince	Weimert
Colné	Garbe	Lewis	Ralston	Wells
Conklin	Geoghagan	Loos	Reece	Whitley
Conrady	Glore	Lowe	Robinson	Whitney F G
Croak	Gluck	Lupton	Rogers	Whitney G H
Cunningham	Glynn	Maher	Schmidt	Winters
Cuvillier	Goldberg	Mallon	Schoeneck	Yale
De Groot	Green	Marlatt	Schwegler	Young
Dobbs	Gunderman	Matthews	Sheridan	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1200) entitled "An act to amend the Election Law, in relation to independent nominations." (Rec. No. 261.)

On motion of Mr. Moreland, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Apgar	Donnelly	Haines	Merritt	Sinclair
Averill	Dowling	Hamilton	Miller	Smith A E
Baldwin	Draper	Hammond	Mills	Smith C
Baumann	Dudley	Hamn	Mooney	Smith Myron
Blue	Duell	Harawitz	Moreland	Staley
Bohan	Eggleston	Harper	Morgan	Stern
Boshart	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Surples
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Waddell
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jacobs	Parker	Walters
Chamberlain	Francis	Keller	Phillips	Waters
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Ganly	Lee	Prince	Weimert
Colné	Garbe	Lewis	Ralston	Wells
Conklin	Geoghagan	Loos	Reece	Whitley
Conrady	Glore	Lowe	Robinson	Whitney F G
Croak	Gluck	Lupton	Rogers	Whitney G H
Cunningham	Glynn	Maher	Schmidt	Winters
Cuvillier	Goldberg	Mallon	Schoeneck	Yale
De Groot	Green	Marlatt	Schwegler	Young
Dobbs	Gunderman	Matthews	Sheridan	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1414) entitled "An act in relation to the Court of General Sessions of the county of New York." (Rec. No. 326.)

On motion of Mr. Prentice, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Apgar	Donnelly	Haines	Merritt	Sinclair
Averill	Dowling	Hamilton	Miller	Smith A E
Baldwin	Draper	Hammond	Mills	Smith C
Baumann	Dudley	Hamm	Mooney	Smith Myron
Blue	Duell	Harawitz	Moreland	Staley
Bohan	Eggleston	Harper	Morgan	Stern
Boshart	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Waddell
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jacobs	Parker	Walters
Chamberlain	Francis	Keller	Phillips	Waters
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Ganly	Lee	Prince	Weimert
Colné	Garbe	Lewis	Ralston	Wells
Conklin	Geoghagan	Loos	Reece	Whitley
Conrady	Glore	Lowe	Robinson	Whitney F G
Croak	Gluck	Lupton	Rogers	Whitney G H
Cunningham	Glynn	Maher	Schmidt	Winters
Cuvillier	Goldberg	Mallon	Schoeneck	Yale
De Groot	Green	Marlatt	Schwegler	Young
Dobbs	Gunderman	Matthews	Sheridan	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 2191) entitled "An act to amend the Code of Civil Procedure, in relation to the proof required and the contents of an order in an application for the abandonment of condemnation proceedings." (Int. No. 1628.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Apgar	Donnelly	Haines	Merritt	Sinclair
Averill	Dowling	Hamilton	Miller	Smith A E
Baldwin	Draper	Hammond	Mills	Smith C
Baumann	Dudley	Hamn	Mooney	Smith Myron
Blue	Duell	Harawitz	Moreland	Staley
Bohan	Eggleston	Harper	Morgan	Stern
Boshart	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Surpluss
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Waddell
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jacobs	Parker	Walters
Chamberlain	Francis	Keller	Phillips	Waters
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Ganly	Lee	Prince	Weimert
Colné	Garbe	Lewis	Ralston	Wells
Conklin	Geoghagan	Loos	Reece	Whitley
Conrady	Glore	Lowe	Robinson	Whitney F G
Croak	Gluck	Lupton	Rogers	Whitney G F
Cunningham	Glynn	Maher	Schmidt	Winters
Cuvillier	Goldbergz	Mallon	Schoeneck	Yale
De Groot	Green	Marlatt	Schwegler	Young
Dobbs	Gunderman	Matthews	Sheridan	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2639) entitled "An act to amend the Greater New York charter and the Municipal Court Act of the city of New York, by providing for a reorganization of the Municipal Court of the city of New York and for changes in the constitution and in the powers of said court and in the practice therein; and assistant clerks and to regulate the salaries of the justices thereof" (Int. No. 1054). Said bill having been announced for third reading,

Mr. DeGroot moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

On page 7, after line 9, add as follows:

“Such section is also amended by adding thereto a new subdivision to be subdivision 5, and to read as follows:

“5. There shall be elected at the general election to be held on the first Tuesday succeeding the first Monday of November, in the year nineteen hundred and nine, one municipal court justice in each of the first, second, third and fourth districts of the borough of Queens, to hold office for terms of ten years from and including the first day of January succeeding their election.”

On page 13, after line 26, insert the following:

“§ 4a. Section thirteen hundred and sixty-two of such act is hereby amended to read as follows:

“Borough of Queens.

“§ 1362. In the borough of Queens there shall be [three] four districts as follows:

“1. The first district embraces [ward one of said borough] the territory bounded by and within The Canal, Rapelye avenue, Jackson avenue, Old Bowery Bay road, Bowery Bay, East river and Newtown creek.

“2. The second district embraces [wards two and three of said borough] the territory bounded by and within Maspeth avenue, Maurice avenue, Calamus road, Long Island Railroad, Trotting-Course lane, Metropolitan avenue, boundary line between the second and fourth wards, boundary line between the second and third wards, Flushing creek, Ireland Mill road, Lawrence avenue, Bradford avenue, Main street, Lincoln street, Union street, White-stone avenue, Bayside avenue, Little Bayside road, Little Neck bay, East river, Bowery bay, Old Bowery Bay road, Jackson avenue, Rapelye avenue, The Canal and Newtown creek.

“3. The third district embraces [wards four and five of said borough] the territory bounded by and within Maspeth avenue, Maurice avenue, Calamus road, Long Island railroad, Trotting Course lane, Metropolitan avenue, boundary line between the second and fourth wards, Vandever avenue, Jamaica avenue, Shaw avenue, Atlantic avenue, Morris avenue, Rockaway road, boundary line between Queens and Nassau counties, Atlantic ocean, Rockaway inlet, boundary line between Queens and Kings counties and Newtown creek.

“4. The fourth district embraces the territory bounded by and within the boundary line between the second and fourth ward, the boundary line between the second and third wards, Flusing creek, Ireland Mill road, Lawrence avenue, Bradford avenue, Main street, Lincoln street, Union street, White stone avenue, Bayside

avenue, Little Bayside road, Little Neck bay, boundary line between Queens and Nassau counties, Rockaway road, Morris avenue, Atlantic avenue, Shaw avenue, Jamaica avenue and Vandever avenue."

On page 5, at the end of line 22, strike out the period and insert a comma and add the following words as follows: ", and excepting also subdivision 5 of section 1352 and the amendments to section 1362 as amended by § 4-a of this act, which shall take effect January first, nineteen hundred and ten, except the provisions thereof requiring the election of municipal court justices at the general election in nineteen hundred and nine which shall take effect immediately."

Mr. Wells moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Allen	Draper	Hamn	Matthews	Sinclair
Apgar	Eggleston	Harawitz	Merritt	Smith A E
Averill	Eichhorn	Harper	Miller	Smith C
Blue	Farrell	Harris	Mills	Smith Myron
Bohan	Fay	Hart	Mooney	Staley
Boshart	Ferguson	Hastings	Moreland	Stanton
Brooks	Feth	Hoe	Murphy C F	Stern
Brough	Filley	Holmes	Newton	Stevenson
Brown	Foley C F	Hooper	Norton	Stratton
Buckley	Foley J A	Hubbs	O'Brian	Surpless
Burhyte	Fowler	Hurd	Oliver	Voss
Cole	Francis	Jackson	Parker	Waddell
Collins	Ganly	Jacobs	Phillips	Wagner
Colné	Garbe	Keller	Prentice	Wainwright
Conklin	Geoghagan	Lansing	Prince	Waters
Conrady	Glore	Lee	Reece	Weber
Croak	Glynn	Lewis	Robinson	Weimert
Cuvillier	Green	Loos	Rogers	Wells
De Groot	Gunderman	Lowe	Schmidt	Whitney F G
Dobbs	Hackett	Lupton	Schoeneck	Whitney G H
Dominy	Haines	Maher	Sheridan	Yale
Donnelly	Hamilton	Mallon	Shuttleworth	Young
Dowling	Hammond			

Mr. Moreland moved that the call of the House be made a close call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Debate was then had. Mr. Moreland moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. DeGroot, and it was determined in the negative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 107

NOES 5

Those who voted in the affirmative were:

Allen	Donnelly	Hamilton	Miller	Sheridan
Apgar	Dowling	Hammond	Mooney	Shuttleworth
Averill	Eagleton	Harawitz	Moreland	Sinclair
Blue	Eggleston	Harper	Murphy C F	Smith A E
Boshart	Eichhorn	Harris	Newton	Staley
Brooks	Farrell	Hart	Northrup	Stanton
Brough	Fay	Hastings	Norton	Stevenson
Brown	Ferguson	Hoey	O'Brian	Stratton
Buckley	Filley	Holmes	Oliver	Surpluss
Burhyte	Foley C F	Hooper	Parker	Voss
Burns	Foley J A	Hubbs	Phillips	Waddell
Burzynski	Fowler	Hurd	Prentice	Wagner
Cavanaugh	Francis	Jackson	Prince	Wainwright
Cole	Ganly	Keller	Ralston	Waters
Collins	Geoghagan	Lee	Reece	Weber
Colné	Glore	Loos	Robinson	Weimert
Conklin	Glynn	Lowe	Rogers	Wells
Croak	Goldberg	Lupton	Schmidt	West
Cunningham	Green	Maher	Schoeneck	Whitney G H
Cuvillier	Gunderman	Mallon	Schulz	Yale
De Groot	Hackett	Matthews	Schwegler	Young
Dominy	Haines			

Those who voted in the negative were:

Conrad	Dobbs	Lansing	Merritt	Smith Myron
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Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1607) entitled "An act to amend the Military Code, relative to the compensation and strength of the National Guard" (Int. No. 1296).

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Smith Myron
Bohan	Eggleston	Harper	Morgan	Staley
Boshart	Eichhorn	Harris	Murphy C F	Stern
Brady	Farrell	Hart	Murphy G W	Stratton
Brough	Ferguson	Hoey	Nevins	Surpless
Brown	Feth	Holmes	Northrup	Todd
Buckley	Filley	Hubbs	Norton	Volk
Burhyte	Flanagan	Hurd	O'Brian	Voss
Burns	Foley J A	Huth	Oliver	Waddell
Burzynski	Fowler	Jacobs	Parker	Wainwright
Chamberlain	Francis	Keller	Phillips	Walters
Cole	Frisbie	Lansing	Prentice	Waters
Collins	Ganly	Lee	Prince	Weber
Colné	Garbe	Lewis	Ralston	Weimert
Conklin	Geoghagan	Loos	Reece	Wells
Conrady	Glore	Lowe	Robinson	Whitley
Croak	Gluck	Lupton	Rogers	Whitney F G
Cunningham	Glynn	Maher	Schmidt	Whitney G H
Cuvillier	Goldberg	Mallon	Schoeneck	Winters
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1094, Assembly reprint No. 2588) entitled "An act to amend section two hundred and twenty-one of the Code of Civil Procedure, relative to the salaries of certain clerks and deputy clerks of the Appellate Divisions of the third and fourth departments" (Rec. No. 204). Said bill having been announced for a second reading,

On motion of Mr. Whitley, and by unanimous consent, said bill was made a special order on second and third reading for Thursday next, immediately after the reading of the journal.

A communication from the Governor was received and read, in the words following:

## STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, May 8, 1907.

*To the Assembly:*

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1533, Senate reprint No. 1314, Int. No. 681) entitled "An act to amend the Penal Code, relative to expenditures at elections."

CHARLES E. HUGHES.

Said bill having been announced, Mr. Phillips moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Smith Myron
Bohan	Eggleston	Harper	Morgan	Staley
Boshart	Eichhorn	Harris	Murphy C F	Stern
Brady	Farrell	Hart	Murphy G W	Stratton
Brough	Ferguson	Hoey	Nevins	Surpless
Brown	Feth	Holmes	Northrup	Todd
Buckley	Filley	Hubbs	Norton	Volk
Burhyte	Flanagan	Hurd	O'Brian	Voss
Burns	Foley J A	Huth	Oliver	Waddell
Burzynski	Fowler	Jacobs	Parker	Wainwright
Chamberlain	Francis	Keller	Phillips	Walters
Cole	Frisbie	Lansing	Prentice	Waters
Collins	Ganly	Lee	Prince	Weber
Colné	Garbe	Lewis	Ralston	Weimert
Conklin	Geoghagan	Loos	Reece	Wells
Conrady	Glore	Lowe	Robinson	Whitley
Croak	Gluck	Lupton	Rogers	Whitney F G
Cunningham	Glynn	Maher	Schmidt	Whitney G H
Cuvillier	Goldberg	Mallon	Schoeneck	Winters
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Greenman	Matthews	Sheridan	Young
Dominy	Hackett	McCue		

Mr. Phillips moved that said bill be recommitted to the committee on codes, with instructions to report the same forthwith amended as follows:

On page 1, lines 9 and 10, strike out "except the members of marching clubs in political campaigns and".

On page 2, line 26, strike out "or" and insert "of" so as to restore said bill to the form of Assembly bill printed No. 1533.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Phillips, from the committee on codes, reported said bill amended as directed, and the same was ordered restored to the order of third reading.

On motion of Mr. Phillips, and by unanimous consent, said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Apgar	Donnelly	Haines	Merritt	Sinclair
Averill	Dowling	Hamilton	Miller	Smith A E
Baldwin	Draper	Hammond	Mills	Smith C
Baumann	Dudley	Hamn	Mooney	Smith Myron
Blue	Duell	Harawitz	Moreland	Staley
Bohan	Eggleston	Harper	Morgan	Stern
Boshart	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Waddell
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jacobs	Parker	Walters
Chamberlain	Francis	Keller	Phillips	Waters
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Ganly	Lee	Prince	Weimer
Colné	Garbe	Lewis	Ralston	Wells
Conklin	Geoghagan	Loos	Reece	Whitley
Conrady	Glore	Lowe	Robinson	Whitney F G
Croak	Gluck	Lupton	Rogers	Whitney G H
Cunningham	Glynn	Maher	Schmidt	Winters
Cuvillier	Goldberg	Mallon	Schoeneck	Yale
De Groot	Green	Marlatt	Schwegler	Young
Dobbs	Gunderman	Matthews	Sheridan	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,  
ALBANY, May 8, 1907.

*To the Assembly:*

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 490, Int. No. 477) entitled "An act to establish a ferry from the highway adjacent to the farm of George H. Huber, in the county of Essex, across Lake Champlain."

CHARLES E. HUGHES.

Said bill having been announced, Mr. Hooper moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Smith Myron
Bohan	Eggleston	Harper	Morgan	Staley
Boshart	Eichhorn	Harris	Murphy C F	Stern
Brady	Farrell	Hart	Murphy G W	Stratton
Brough	Ferguson	Hoey	Nevins	Surpless
Brown	Feth	Holmes	Northrup	Todd
Buckley	Filley	Hubbs	Norton	Volk
Burhyte	Flanagan	Hurd	O'Brian	Voss
Burns	Foley J A	Huth	Oliver	Waddell
Burzynski	Fowler	Jacobs	Parker	Wainwright
Chamberlain	Francis	Keller	Phillips	Walters
Cole	Frisbie	Lansing	Prentice	Waters
Collins	Ganly	Lee	Prince	Weber
Colné	Garbe	Lewis	Ralston	Weimert

Conklin	Geoghagan	Loos	Reece	Wells
Conrady	Glore	Lowe	Robinson	Whitley
Croak	Gluck	Lupton	Rogers	Whitney F G
Cunningham	Glynn	Maher	Schmidt	Whitney G H
Cuvillier	Goldberg	Mallon	Schoeneck	Winters
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue		

Mr. Hooper moved that said bill be recommitted to the committee on commerce and navigation, with instructions to report the same forthwith amended as follows:

On pages 2 and 3, strike out, beginning with "for one" in line 25, page 2, down to and including "mentioned" in line 2, page 3, and insert "between the points specified in section one".

On page 3, strike out all of lines 3 to 7.

Page 3, line 8, strike out "7" and insert "6".

Page 3, line 17, strike out "8" and insert "7".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Miller, from the committee on commerce and navigation, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A communication from the Governor was received and read, in the words following:

#### STATE OF NEW YORK:

EXECUTIVE CHAMBER,  
ALBANY, May 7, 1907.

*To the Assembly:*

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1845, Int. No. 1444) entitled "An act to amend chapter three hundred and ninety-four of the laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' in relation to salaries of clerk, police officers, policemen and janitors."

CHARLES E. HUGHES.

Said bill having been announced, Mr. F. G. Whitney moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said

bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Apgar	Donnelly	Haines	Merritt	Sinclair
Averill	Dowling	Hamilton	Miller	Smith A E
Baldwin	Draper	Hammond	Mills	Smith C
Baumann	Dudley	Hamm	Mooney	Smith Myron
Blue	Duell	Harawitz	Moreland	Staley
Bohan	Eggleston	Harper	Morgan	Stern
Boshart	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Waddell
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jacobs	Parker	Walters
Chamberlain	Francis	Keller	Phillips	Waters
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Ganly	Lee	Prince	Weimert
Colné	Garbe	Lewis	Ralston	Wells
Conklin	Geoghagan	Loos	Reece	Whitley
Conrady	Glore	Lowe	Robinson	Whitney F G
Croak	Gluck	Lupton	Rogers	Whitney G H
Cunningham	Glynn	Maher	Schmidt	Winters
Cuvillier	Goldberg	Mallon	Schoeneck	Yale
De Groot	Green	Marlatt	Schwegler	Young
Dobbs	Gunderman	Matthews	Sheridan	

Mr. F. G. Whitney moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

On page 2, line 1, after the word "a" insert "yearly" in italics; place brackets about the word "the" and insert "a" in italics; strike out brackets about the word "five"; strike out the word "six"; place bracket before the word "of".

On page 2, line 2, place bracket after the word "year" and insert thereafter the words "to be fixed by the common council of said city" in italics.

On page 2, line 21, insert bracket before the word "two" and after the word "annually"; strike out the words "and sixty"; insert after the word "such" the words "a compensation to be fixed by said department, to be approved by a majority of the common council of said city" in italics.

On page 2, line 25, after the word "the" insert "chief of police, the captain of police and each" in italics; place bracket before the word "of" and after the word "city".

On page 2, line 26, place bracket before the word "not"; strike out brackets about the word "seven"; strike out the word "eight"; after the word "compensation" insert in italics "to be fixed by said department, to be approved by a majority of the common council of said city".

On page 3, line 1, strike out brackets about the word "twenty"; strike out the word "forty", also the words "a com-".

On page 3, line 2, strike out brackets about the words "nine hundred"; strike out all of said line except the words "nine hundred".

On page 3, line 3, strike out the words "and twenty dollars".

On page 3, line 4, strike out brackets about the words "and twenty"; strike out the word "two".

On page 3, line 5, strike out the word "hundred" and place bracket after the word "annum".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Dowling, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate returned the Assembly bill (No. 2084, Senate re-print No. 1490, Int. No. 1571) entitled "An act to amend chapter one hundred eighty-one of the Laws of nineteen hundred and three, entitled 'An act to establish and maintain a water department in and for the city of Ithaca,'" with a message that they have concurred in the passage of the same, with the following amendments:

On page 1, line 1 of title, after the word "one" insert the word "hundred".

Same page, line 3 of title, after the word "Ithaca" strike out the comma and insert in lieu thereof a period.

Same page and line, strike out the word "generally".

Mr. Gunderman moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Allen	Donnelly	Haines	Merritt	Shuttleworth
Apgar	Dowling	Hamilton	Miller	Sinclair
Averill	Draper	Hammond	Mills	Smith A E
Baumann	Dudley	Hamn	Mooney	Smith C
Blue	Duell	Harawitz	Moreland	Smith Myron
Bohan	Eggleston	Harper	Morgan	Staley
Boshart	Eichhorn	Harris	Murphy C F	Stern
Brady	Farrell	Hart	Murphy G W	Stratton
Brough	Ferguson	Hoey	Nevins	Surpless
Brown	Feth	Holmes	Northrup	Todd
Buckley	Filley	Hubbs	Norton	Volk
Burhyte	Flanagan	Hurd	O'Brian	Voss
Burns	Foley J A	Huth	Oliver	Waddell
Burzynski	Fowler	Jacobs	Parker	Wainwright
Chamberlain	Francis	Keller	Phillips	Walters
Cole	Frisbie	Lansing	Prentice	Waters
Collins	Ganly	Lee	Prince	Weber
Colné	Garbe	Lewis	Ralston	Weimert
Conklin	Geoghagan	Loos	Reece	Wells
Conrady	Glore	Lowe	Robinson	Whitley
Croak	Gluck	Lupton	Rogers	Whitney F G
Cunningham	Glynn	Maher	Schmidt	Whitney G H
Cuvillier	Goldberg	Mallon	Schoeneck	Winters
De Groot	Green	Marlatt	Schwegler	Yale
Dobbs	Gunderman	Matthews	Sheridan	Young
Dominy	Hackett	McCue		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *May 8, 1907.*

Resolved (if the Assembly concur), That the Clerks of the Senate and Assembly prepare and cause to be printed and bound 10,000 copies of the Memorial Proceedings of the Legislature on the death of Ex-Governor Frank Wayland Higgins, to be distributed as follows: 500 copies to the officers and reporters of the Legislature; 500 copies to the family of the deceased; 500 copies to the State officers; 500 copies to Jacob Gould Schurman; sixty copies to each Senator and thirty copies to each member of Assembly, and the remainder to be deposited with the State Librarian for such distribution as to him may be deemed most appropriate.

By order of the Senate,

LAFAYETTE B. GLEASON,

*Clerk.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	McCue	Shuttleworth
Apgar	Donnelly	Haines	Merritt	Sinclair
Averill	Dowling	Hamilton	Miller	Smith A E
Baldwin	Draper	Hammond	Mills	Smith C
Baumann	Dudley	Hamn	Mooney	Smith Myron
Blue	Duell	Harawitz	Moreland	Staley
Bohan	Eggleston	Harper	Morgan	Stern
Boshart	Eichhorn	Harris	Murphy C F	Stratton
Brady	Farrell	Hart	Murphy G W	Surpless
Brough	Ferguson	Hoey	Nevins	Todd
Brown	Feth	Holmes	Northrup	Volk
Buckley	Filley	Hubbs	Norton	Voss
Burhyte	Flanagan	Hurd	O'Brian	Waddell
Burns	Foley J A	Huth	Oliver	Wainwright
Burzynski	Fowler	Jacobs	Parker	Walters
Chamberlain	Francis	Keller	Phillips	Waters
Cole	Frisbie	Lansing	Prentice	Weber
Collins	Ganly	Lee	Prince	Weimert
Colné	Garbe	Lewis	Ralston	Wells
Conklin	Geoghagan	Loos	Reece	Whitley
Conrady	Glore	Lowe	Robinson	Whitney F G
Croak	Gluck	Lupton	Rogers	Whitney G H
Cunningham	Glynn	Maher	Schmidt	Winters
Cuvillier	Goldberg	Mallon	Schoeneck	Yale
De Groot	Green	Marlatt	Schwegler	Young
Dobbs	Gunderman	Matthews	Sheridan	

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Parker offered for the consideration of the House a resolution, in the words following:

Concurrent resolution of the Senate and Assembly, in relation to the distribution of reports of the Western New York State School for the Blind at Batavia.

Resolved (if the Senate concur), That five hundred extra copies of the report of the Western New York School for the Blind at Batavia be printed for public distribution.

which was referred to the committee on rules.

Mr. Weimert offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 1637, Senate reprint No. 1259, Int. No. 1082) entitled "An act to amend the Primary Election Law, in relation to excepting first, second and certain third class cities from special enrollment and changing date when enrollment books shall be delivered," be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Miller offered for the consideration of the House a resolution, in the words following:

Resolved, That a respectful message be sent to the Senate, requesting the return to the Assembly of Assembly bill (No. 1887, Int. No. 1474), entitled "An act to annex to union free school district number twenty-one of the town of Hempstead, Nassau county, a part of the territory of union free school district number eleven of the town of Hempstead," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Phillips offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1533, Senate reprint No. 1314, Int. No. 681), entitled "An act to amend the Penal Code, relative to expenditures at elections," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Baldwin offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1132, Int. No. 638), entitled "An act to

amend the Railroad Law, relative to motive power of street surface railroads in certain counties," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree the said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Dominy offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1563, Senate reprint No. 1339, Int. No. 1270), entitled "An act relating to the public printing of Clinton county," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *May 8, 1907.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 1315, Rec. No. 127), entitled "An act to authorize the board of trustees of the village of White Plains to make and enforce ordinances regarding the construction and location of buildings in said village and to appoint a building inspector," for the purpose of amendment.

By order of the Senate,

LAFAYETTE B. GLEASON,  
*Clerk.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *May 8, 1907.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 781, Rec. No. 57), entitled "An act to amend the County Law, relative to the appointment of assistant district attorneys in the county of Queens," for the purpose of amendment.

By order of the Senate,

LAFAYETTE B. GLEASON,  
*Clerk.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *May 8, 1907.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 48, Rec. No. 47), entitled "An act to amend the Railroad Law, relative to the transportation of freight," for the purpose of amendment.

By order of the Senate,

LAFAYETTE B. GLEASON,  
*Clerk.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *May 8, 1907.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 559, Rec. No. 83), entitled "An act to amend the County Law relative to the duties and salaries of the assistant district attorneys of the county of Erie," for the purpose of amendment.

By order of the Senate,

LAFAYETTE B. GLEASON,  
*Clerk.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *May 8, 1907.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 621, Rec. No. 123), entitled "An act to amend the County Law, relative to the appointment of assistant district attorney in the county of Richmond," for the purpose of amendment.

By order of the Senate,

LAFAYETTE B. GLEASON,  
*Clerk.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the concurrent resolution, returning to the Governor Assembly bill (No. 1637, Senate reprint No. 1259, Int. No. 1082) entitled "An act to amend the Primary Election Law, in relation to excepting first, second and certain third class cities from special enrollment and changing date when enrollment books shall be delivered," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1563, Senate reprint No. 1339, Int. No. 1270) entitled "An act relating to the public printing of Clinton county," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1132, Int. No. 638) entitled "An act to amend the Railroad Law,

relative to motive power of street surface railroads in certain counties," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1533, Senate reprint No. 1314, Int. No. 681) entitled "An act to amend the Penal Code, relative to expenditures at elections," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the bill (No. 1911, Int. No. 557) entitled "An act to amend the Highway Law, in relation to compliance of town officers with the rules and regulations of the State Engineer and Surveyor," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the Assembly bill (No. 1533, Senate reprint No. 1314, Assembly reprint No. 1533, Int. No. 681) entitled "An act to amend the Penal Code, relative to expenditures at elections."

Also, Assembly bill (No. 1635, Senate reprint No. 1261, Assembly reprint No. 2634, Int. No. 1323) entitled "An act in relation to the County Court of Kings county and the appointment of a chief clerk and duties and assistants therein," with a message that they have reconsidered their vote by which said bills passed, and, as amended, have again passed the same.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the Assembly bill (No. 1586, Senate reprint No. 1459, Int. No. 997) entitled "An act to amend the County Law, in relation to killing or injuring of horses, cattle or swine by dogs."

Also, Assembly bill (No. 771, Senate reprint No. 1484, Int. No. 74) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for hares and rabbits in Columbia, Greene, Ulster, Fulton, Dutchess and Orange counties."

Also, Assembly bill (No. 1907, Senate reprint No. 1382, Int. No. 1041) entitled "An act to amend the County Law, in relation to the compensation of supervisors."

Also, Assembly bill (No. 1862, Senate reprint No. 1392, Int. No. 622) entitled "An act to amend chapter seven hundred and thirty-four of the Laws of nineteen hundred and four, entitled 'An act to establish a permanent commission for the regulation of the flow of water courses in this State in aid of the public health and safety, to be known as the river improvement commission,' in relation to authority of commission to perform the work and to issue certificates and bonds in payment therefor."

Ordered, That the Clerk deliver said bills to the Governor.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, May 7, 1907.

*To the Assembly:*

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 1296, Senate reprint No. 1348, Int. No. 1091) entitled "An act prohibiting the board of supervisors of the county of Madison from changing the site and location of the Madison county buildings and offices when the site and location of the same shall be designated and approved by a majority of the electors of said county."

CHARLES E. HUGHES.

A communication was received from Hon. Alan C. Fobes, mayor of the city of Syracuse, returning Assembly bill (No. 842, Senate reprint No. 1265, Int. No. 777) entitled "An act to provide for the construction of intercepting sewers in and for the city of Syracuse," with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 922, Int. No. 840) entitled "An act to amend the Greater New York charter, in relation to the dedication of certain lands for markets," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Geo. B. McClellan, mayor of the city of New York, returning Assembly bill (No. 822, Int. No. 757) entitled "An act to amend the Greater New York charter, relating to the uniformed force of the fire department," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Stern of New York was excused until Monday next.

Mr. Schulz.—Mr. Speaker and gentlemen: A few days ago the people of the State were inexpressibly grieved to learn of the death of a profound scholar who occupied a high and distinguished position in the conduct of the affairs of this State. I refer to Ernest W. Huffcutt, counsel to the Governor. A young man in the prime of early manhood, with a most brilliant record for past achievements and with a most promising future before him, has passed out of our lives. He has left a large circle of friends who knew him and loved him for his great qualities of mind and of heart. Some of us have known him for years, or know of him for years; some of us have known him but from the beginning of this session; but all of us have known him long enough to appreciate his high and noble character and his rare attainments.

As one of those who knew and loved him, in common with you all, I take the liberty of offering this resolution, and ask that it may be acted upon.

Mr. Speaker.—The gentleman from New York offers the following resolution:

Whereas, The Assembly of the State of New York has learned, with great sorrow, of the death of Ernest W. Huffcutt, counsel to the Governor; and,

Whereas, Through his death the members of this House have suffered the loss of one whose sterling qualities of mind and heart endeared him to all;

Resolved, That it is the sense of this House that in the death of Mr. Huffcutt the State of New York has lost an able, conscientious and upright official, the profession of the law a distinguished and gifted son, and the members of this body a capable, courteous and impartial adviser and friend.

Resolved, That the sympathy of the Assembly be tendered to his bereaved relatives in their great sorrow and that, as a tribute to his memory and the high esteem in which he was so justly held, this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative by a unanimous rising vote.

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THURSDAY, MAY 9, 1907.

The House met pursuant to adjournment.

Prayer by Rev. Edgar H. Brown.

On motion of Mr. Moreland, the reading of the journal of yesterday was dispensed with, and the same was approved.

Mr. Speaker presented the petition and remonstrance of the Brotherhood of Locomotive Engineers against the so-called public utilities bill, which was ordered laid upon the table.

Mr. Speaker presented the petition of Charles L. Jones setting forth the fundamental law under which railroads are permitted to be built, and submitting certain amendments to the act entitled "The Public Service Commissions Laws," which was ordered laid upon the table.

Mr. Boshart gives notice that he requests that Assembly bill (No. 2663, Int. No. 1851), entitled "An act to amend the Agricultural Law, in relation to the employment of persons having or who have been exposed to any contagious or infectious disease, in any dairy or creamery or on any farm where milk is produced for sale or manufacture into any article of food and the sale of such articles of food," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. C. F. Murphy gives notice that he requests that Assembly bill (No. 2648, Int. No. 1848), entitled "An act to amend the Insurance Law, in relation to the insurance of pianos," a copy of

which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Merritt gives notice that he requests that Assembly bill (No. 837, Int. No. 772), entitled "An act to provide for holding a convention within the State of New York of delegates to be appointed by the Governors of the several States, for the purpose of devising and recommending to the Legislatures thereof uniform laws, and making an appropriation therefor," a copy of which is hereunto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Miller gives notice that he requests that Assembly bill (No. 2645, Int. No. 1843), entitled "An act to amend chapter five hundred and eighty-eight of the Laws of eighteen hundred and ninety-eight, entitled 'An act to erect the county of Nassau from the territory now comprised within the limits of the towns of Oyster Bay, North Hempstead and Hempstead, in the county of Queens,' relative to the salary of the county superintendent of the poor," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Stratton gives notice that he requests that Assembly bill (No. 2649, Int. No. 1849) entitled "An act to amend the Highway Law, relating to the cutting and removing of noxious weeds and brush and providing for the same where the highway is in the boundary lines between two or more towns," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Northrup gives notice that he requests that Assembly bill (No. 2150, Int. No. 1591) entitled "An act to provide for the enumeration of the inhabitants of the village of Red Hook, and for refunding excessive excise taxes collected in such village on an erroneous basis of population," a copy of which is hereto

annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Rogers gives notice that he requests that Assembly bill (No. 2665, Int. No. 1853) entitled "An act to amend the Tax Law, in relation to the assessment of State lands for school purposes," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Rogers gives notice that he requests that Assembly bill (No. 2601, Int. No. 1819) entitled "An act to amend the Business Corporations Law, relative to the incorporation of educational institutions," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Moreland gives notice that he requests that Assembly bill (No. 2597, Int. No. 1817) entitled "An act to amend an act in relation to traffic in liquors, in relation to persons to whom liquor shall not be sold or given away," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Moreland gives notice that he requests that Assembly bill (No. 1784, Int. No. 1404) entitled "An act to repeal sections sixty-two, sixty-three and sixty-four of the Transportation Corporations Law," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Shuttleworth gives notice that he requests that Assembly bill (No. 1261, Int. No. 832) entitled "An act to amend chapter one hundred and fifteen of the Laws of eighteen hundred and ninety-eight, entitled 'An act to provide for the improvement of the public highways,' as amended by chapter four hundred and sixty-eight of the Laws of nineteen hundred and six," a copy of which is hereto annexed, be made a special order, and asks that

his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Robinson gives notice that he requests that Assembly bill (No. 2540, Int. No. 1793) entitled "An act to amend the Greater New York charter, in relation to water rents and expenses of meters and their connections and setting and the time such charges become liens and the manner of returning the same," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Wainwright gives notice that he requests that Assembly bill (No. 2602, Int. No. 1820) entitled "An act to amend the Public Health Law, in relation to adulteration and misbranding of drugs and liquors," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Schulz gives notice that he requests that Assembly bill (No. 1876, Int. No. 1462) entitled "An act to amend section ten hundred and twenty-three-a of the Greater New York charter, as re-enacted by chapter seven hundred and six of the Laws of eighteen hundred and ninety-nine, relative to notifying taxpayers," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Glore gives notice that he requests that Assembly bill (No. 2242, Int. No. 1652) entitled "An act to amend chapter three hundred and thirty-four of the Laws of nineteen hundred and one, entitled 'An act in relation to tenement houses in cities of the first class,' relative to bakeries," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Merritt gives notice that he requests that Assembly bill (No. 2527, Int. No. 538) entitled "An act to amend the Code of Civil Procedure, in relation to the conveyance of real estate by

executors and administrators, in certain cases," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Rogers gives notice that he requests that Assembly bill (No. 2423, Int. No. 1729) entitled "An act to provide for refunding certain taxes erroneously paid into the treasury of the State by certain foreign life insurance companies domiciled in the State of Connecticut," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Rogers gives notice that he requests that Assembly bill (No. 2589, Int. No. 1641) entitled "An act to amend the Penal Code, in relation to the privileges of witnesses in investigations and proceedings relating to rebates and allowances by life insurance corporations," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

The Senate sent for concurrence the following entitled bill:

"An act to amend chapter four hundred and fifty-nine of the Laws of eighteen hundred and ninety-three, entitled 'An act to incorporate the Economic Power and Construction Company,' generally" (No. 1421, Rec. No. 358), which was read the first time and referred to the committee on electricity, gas and water supply.

By unanimous consent, Mr. Wells introduced a bill entitled "An act to amend the Greater New York charter, in relation to powers of the police commissioner and fire commissioner to rehear charges, and reinstate discharged members" (Int. No. 1866), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. G. H. Whitney introduced a bill entitled "An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled 'An act to amend the charter of the village of Saratoga Springs and the several acts amendatory thereof,' in relation to increase of the

salary of the assistant chief, electrician and permanent firemen of the fire department of said village" (Int. No. 1867), which was read the first time and referred to the committee on affairs of villages.

By unanimous consent, Mr. Hooper introduced a bill entitled "An act to legalize, ratify and confirm the proceedings of the electors and board of education of union free school district number one of the town of Schroon in the county of Essex, relative to the levy of taxes, and the issuance and sale of bonds" (Int. No. 1868), which was read the first time and referred to the committee on internal affairs.

By unanimous consent, Mr. Francis introduced a bill entitled "An act to amend the Penal Code, in relation to the punishment for kidnapping" (Int. No. 1869), which was read the first time and referred to the committee on codes.

By unanimous consent, Mr. Moreland introduced a bill entitled "An act to make an appropriation for the payment of the judgments of the Court of Claims, in claims other than those on account of the canals of this State" (Int. No. 1870), which was read the first time and referred to the committee on ways and means.

Also, by unanimous consent, "An act to make an appropriation for the payment of the judgments of the Court of Claims, in claims arising on account of the canals of this State" (Int. No. 1871), which was read the first time and referred to the committee on ways and means.

By unanimous consent, Mr. Apgar introduced a bill entitled "An act to establish a union free school district in the village of Ossining, and to provide a board of education therefor" (Int. No. 1872), which was read the first time and referred to the committee on affairs of villages.

Mr. West, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend chapter sixty-three of the Laws of nineteen hundred and two, entitled 'An act to incorporate the city of Fulton,' in relation to the compensation of members of the fire and police departments." (No. 2631, Int. No. 1840.)

"An act to amend the Greater New York charter, in relation

to providing partial compensation to owners of diseased horses slain by order of the department of health in the city of New York." (No. 2189, Int. No. 1626.)

"An act to amend the Tax Law, and providing for the assessment as a special franchise by the State Board of Tax Commissioners of an occupancy of the streets, highways and public places, where such occupancy has not been ratified by grant from public authority." (No. 2152, Int. No. 1593.)

"An act to amend the Code of Civil Procedure, in relation to the proof required and the contents of an order in an application for the abandonment of condemnation proceedings." (No. 2191, Int. No. 1628.)

"An act to amend the State Finance Law, in relation to the duties of State officers, concerning receipts and expenditures." (No. 2636, Int. No. 1794.)

"An act to amend the County Law, relative to the compensation of supervisors in Niagara county." (No. 2424, Int. No. 1730.)

"An act to amend chapter ninety of the Laws of eighteen hundred and forty-six, entitled 'An act to incorporate the Hudson Orphan and Relief Association,' generally." (No. 2523, Int. No. 1745.)

"An act to secure sufficient water in the barge canal between Lake Erie and the Genesee river." (No. 2225, Int. No. 1633.)

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Boshart (No. 2663, Int. No. 1851), entitled "An act to amend the Agricultural Law in relation to the employment of persons having or who have been exposed to any contagious or infectious disease in any dairy or creamery or on any farm where milk is produced for sale or manufacture into any article of food and the sale of such articles of food."

Also, Assembly bill introduced by Mr. C. F. Murphy (No. 2648, Int. No. 1848), entitled "An act to amend the Insurance Law, in relation to the insurance of pianos."

Also, Assembly bill introduced by Mr. Merritt (No. 837, Int. No. 772), entitled "An act to provide for holding a convention within the State of New York of delegates to be appointed by the

Governors of the several States, for the purpose of devising and recommending to the Legislatures thereof uniform laws, and making an appropriation therefor."

Also, Assembly bill introduced by Mr. Miller (No. 2645, Int. No. 1843), entitled "An act to amend chapter five hundred and eighty-eight of the Laws of eighteen hundred and ninety-eight, entitled 'An act to erect the county of Nassau from the territory now comprised within the limits of the towns of Oyster Bay, North Hempstead and Hempstead, in the county of Queens,' relative to the salary of the county superintendent of the poor."

Also, Assembly bill introduced by Mr. Stratton (No. 2649, Int. No. 1849), entitled "An act to amend the Highway Law, relating to the cutting and removal of noxious weeds and brush and providing for the same when the highway is in the boundary lines between two or more towns."

Also, Assembly bill introduced by Mr. Northrup (No. 2150, Int. No. 1591), entitled "An act to provide for enumeration of the inhabitants of the village of Red Hook and for refunding excessive excise taxes collected in such village on an erroneous basis of population."

Also, Assembly bill introduced by Mr. Rogers (No. 2665, Int. No. 1853), entitled "An act to amend the Tax Law, in relation to the assessment of State lands for school purposes."

Also, Assembly bill introduced by Mr. Rogers (No. 2601, Int. No. 1819), entitled "An act to amend the Business Corporations Law, relative to the incorporation of educational institutions."

Also, Assembly bill introduced by Mr. Moreland (No. 2597, Int. No. 1817), entitled "An act to amend subdivision five of section thirty of chapter one hundred and twelve of the Laws of eighteen hundred and ninety-six, entitled 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same and to provide for local option, constituting chapter twenty-nine of the general laws,' in relation to persons to whom liquor shall not be sold or given away."

Also, Assembly bill introduced by Mr. Moreland (No. 1784, Int. No. 1404), entitled "An act to repeal sections sixty-two, sixty-three and sixty-four of the Transportation Corporations Law."

Reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred Assembly bill introduced by Mr. Glore (No. 2242, Int. No. 1652), entitled "An act to amend chapter three hundred and thirty-four of the Laws of nineteen hundred and one, entitled 'An act in relation to tenement houses in cities of the first class,' relative to bakeries."

Also, Assembly bill introduced by Mr. Merritt (No. 2527, Int. No. 538), entitled "An act to amend the Code of Civil Procedure in relation to the conveyance of real estate by executors and administrators, in certain cases."

Also, Assembly bill introduced by Mr. Rogers (No. 2423, Int. No. 1729), entitled "An act to provide for refunding certain taxes erroneously paid into the treasury of the State by certain foreign life insurance companies domiciled in the State of Connecticut."

Also, Assembly bill introduced by Mr. Rogers (No. 2589, Int. No. 1641), entitled "An act to amend the Penal Code in relation to the privileges of witnesses in investigations and proceedings relating to rebates and allowances by life insurance corporations."

Reported in favor of the passage of the same without amendment, and that the same be made a special order on third reading immediately, which report was agreed to, and said bills ordered made special orders on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Wainwright (No. 2602, Int. No. 1820), entitled "An act to amend the Public Health Law, in relation to adulteration and misbranding of drugs and liquors," reported in favor of the passage of the same with the following amendments:

On page 1, line 1, strike out "s" in "sections" and strike out "and forty-one".

On page 1, line 4, strike out "as".

On page 1, strike out all of line 5.

On page 1, line 6, strike out "nineteen hundred and five".

On page 1, line 6, strike out "are" and insert in place thereof "is".

On page 2, after line 6 and before line 7, insert "§ 2. Section forty-one of such chapter, as amended by chapter one hundred and twenty-two of the Laws of nineteen hundred and five, is hereby amended to read as follows:".

On page 2, line 9, italicize "in possession with intent to sell".

On page 3, line 3, strike out the second "o" in "pharmacopoeia".

Same page and line, insert ",", after "pharmacopoeia" and italicize "or".

On page 3, lines 14 and 15, strike out second "o" in "pharmacopoeia".

Page 3, line 16, strike out the second "s" in "standards".

Page 4, line 25, after "forms" insert ",", "

Page 5, line 1, after "liquors" insert ",", "

Page 5, line 6, after "confectionery" strike out ":" and insert ",", "

Page 5, line 19, strike out "2" and insert in place thereof "3".

On page 9, line 22, strike out "3" and insert in place thereof "4".

On page 10, line 6, after "thereof" insert ",", "

On page 10, line 11, after "shall" insert ",", "

On page 10, line 12, after "declarations" insert ",", "

On page 10, line 13, strike out "chapter" and insert ["article"] "chapter".

On page 11, line 4, strike out "4" and insert "5".

On page 10, line 14, after "chapter" insert ",", "

Page 13, line 17, strike out "5" and insert "6".

Page 16, line 24, strike out "6" and insert "7".

and that the same be reprinted, as amended, and, when it shall have been on the desks of the members three calendar legislative days, it be made a special order on second and third reading immediately after the consideration of the special orders on third reading theretofore reported, which report was agreed to, and said bill ordered reprinted, as amended, and, that when it shall have been on the desks of the members three calendar legislative days, it be made a special order on second and third reading

immediately after the consideration of the special orders on third reading theretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Schulz (No. 1876, Int. No. 1462), entitled "An act to amend section ten hundred and twenty-three-a of the Greater New York charter, as reenacted by chapter seven hundred and six of the Laws of eighteen hundred and ninety-nine, relative to notifying taxpayers," reported the same with the following amendments:

On page 1, line 9, between the word "four" and the word "assistants" insert the word "chief".

On page 1, line 9, between the word "assistants" and the period immediately behind the said word "assistants" insert the words "and such additional assistants as may be necessary to perform the duties hereinafter provided".

On page 2, strike out, beginning with the words "the salaries" on line 4, down to and including the word "dollars" on line 6.

On page 2, line 6, change the letter "t" beginning the word "the" at the end of said line to a capital "T".

On page 2, line 11, strike out the word "Kings" and insert in place thereof the word "Brooklyn".

On page 2, line 12, after the word "Richmond" insert the words "The salaries of the said notification clerk and of said chief assistants and such additional clerks hereinbefore provided for shall be fixed by the board of estimate and apportionment".

On page 2, line 14, strike out the word "of" between the words "Manhattan" and "the".

On page 2, line 14, strike out the word "Kings" and insert in place thereof the word "Brooklyn".

On page 4, line 3, strike out the word "of" between the word "Manhattan" and the word "the".

On page 4, line 4, strike out the word "Kings" and insert the word "Brooklyn".

On page 4, after line 6, insert "Section 2. This act shall take effect immediately".

and requeststhat said bill be reprinted, as amended, and recommitted to said committee, which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Robinson (No. 2540, Int. No.

1793), entitled "An act to amend the Greater New York charter, in relation to water rents and expenses of meters and their connections and setting and the time when such charges become liens and the manner of returning the same," reported the same with the following amendments:

Page 2, line 20, word "aforesaid" should be lower case, not italics.

Page 10, line 15, words "water rents" to be in quotation marks.

Line 20, transpose words "yet be".

Lines 21 and 22, strike out brackets and substitute parentheses.

and requests that said bill be reprinted, as amended, and recommitted to said committee, which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Shuttleworth (No. 1261, Int. No. 832), entitled "An act to amend chapter one hundred and fifteen of the Laws of eighteen hundred and ninety-eight, entitled 'An act to provide for the improvement of the public highways,' as amended by chapter four hundred and sixty-eight of the Laws of nineteen hundred and six," reported the same with the following amendments:

Strike out all of the title after the word "highways" and insert in place thereof "in relation to order of construction."

Page 1, line 1, strike out the word "one" and insert in place thereof "eleven".

Page 1, line 4, after the word "by" strike out "section one of" and insert in place thereof "chapter two hundred and ninety-nine of the Laws of nineteen hundred and four and".

Strike out all of pages 2, 3, 4, 5 and down to and including the word "follows" on page 6.

Page 7, strike out lines 4 to 24, both inclusive.

Page 7, line 25, strike out "6" and insert "2".

and requests that said bill be reprinted, as amended, and recommitted to said committee, which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Robinson (No. 2617, Int. No. 1830), entitled "An act to amend chapter four hundred and ten of the Laws of eighteen hundred and eighty-two, as amended by chapter six hundred and ninety-six of the Laws of eighteen hundred and ninety-five, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relative to assistant district attorneys in the county of New York," reported the same with the following amendments:

Page 2, after line 5, insert "§ 2. This act shall take effect September first, nineteen hundred and seven."

Page 2, line 5, after the word "attorney" insert "and his assistants".

and requests that said bill be reprinted, as amended, and recommitted to said committee.

Which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Robinson (No. 2616, Int. No. 1829), entitled "An act to amend chapter three of title five of part one of the Code of Criminal Procedure of the State of New York, entitled 'The Court of General Sessions in the city and county of New York,'" reported the same with the following amendment:

Page 2, after line 23, insert, "§ 5. This act shall take effect September first, nineteen hundred and seven."

and requests that said bill be reprinted, as amended, and recommitted to said committee. Which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Robinson (No. 2615, Int. No. 1828), entitled "An act to amend chapter two of title four of part four of the Code of Criminal Procedure of the State of

New York, entitled 'Formation of the grand jury, its powers and duties,' " reported the same with the following amendment:

Page 2, after line 27, insert " § 3. This act shall take effect September first, nineteen hundred and seven."

and requests that said bill be reprinted, as amended, and recommitted to said committee, which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Robinson (No. 2614, Int. No. 1827), entitled "An act providing for the Court of General Sessions of the city and county of New York, its judges and officers," reported the same with the following amendment:

Page 3, line 24, strike out the word "seven" and insert in place thereof "six".

and requests that said bill be reprinted, as amended, and recommitted to said committee, which report was agreed to, and said bill ordered reprinted, as amended, and recommitted to said committee.

Mr. Moreland moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Allen	Dobbs	Glore	Lewis	Schulz
Apgar	Dominy	Gluck	Loos	Sheridan
Averill	Donnelly	Glynn	Lowe	Shuttleworth
Blue	Dowling	Goldberg	Maher	Sinclair
Bohan	Draper	Gunderman	Mallon	Smith A E
Boshart	Eagleton	Hackett	Matthews	Smith C
Brady	Eggleston	Haines	Mead	Smith Myron
Brooks	Eichhorn	Hamilton	Merritt	Staley
Brough	Farrell	Hammond	Miller	Stanton
Brown	Fay	Hamn	Mills	Stratton
Buckley	Ferguson	Harper	Moreland	Surpluss
Burhyte	Feth	Harris	Morgan	Voss
Burns	Filley	Hart	Murphy C F	Wagner
Cavanaugh	Foley C F	Hastings	Newton	Wainwright
Chamberlain	Foley J A	Hoey	O'Brian	Waters
Cole	Fowler	Holmes	Prentice	Weimert
Collins	Francis	Hurd	Ralston	West
Colné	Frisbie	Jackson	Reece	Whitley
Conklin	Ganly	Jacobs	Robinson	Whitney F G
Croak	Garbe	Lansing	Rogers	Whitney G H
Cuvillier	Geoghagan	Lee	Schoeneck	Yale
De Groot				

Mr. Moreland moved that the call of the House be made a close call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the Senate bill (No. 1094, Assembly reprint No. 2588) entitled "An act to amend section two hundred and twenty-one of the Code of Civil Procedure, relative to the salaries of certain clerks and deputy clerks of the Appellate Divisions of the third and fourth departments." (Rec. No. 204.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Mead	Smith A E
Blue	Duell	Harawitz	Merritt	Smith C
Bohan	Eagleton	Harper	Miller	Smith Myron
Boshart	Eggleston	Harris	Mills	Staley
Brady	Eichhorn	Hart	Mooney	Stevenson
Brooks	Farrell	Hastings	Moreland	Stratton
Brough	Ferguson	Hoey	Murphy C F	Surpluss
Brown	Feth	Holmes	Murphy G W	Todd
Buckley	Filley	Hooper	Nevins	Volk
Burhyte	Flanagan	Hubbs	Newton	Waddell
Burns	Foley C F	Hurd	Northrup	Wagner
Burzynski	Foley J A	Huth	Norton	Wainwright
Cavanaugh	Fowler	Jackson	O'Brian	Walters
Chamberlain	Francis	Jacobs	Oliver	Waters
Cole	Ganly	Keller	Parker	Weber
Collins	Garbe	Lansing	Phillips	Weimert
Colné	Geoghagan	Lee	Prentice	Wells
Conklin	Glore	Lewis	Ralston	West
Conrady	Gluck	Lowe	Reece	Whitley
Croak	Glynn	Lupton	Rogers	Whitney F G
Cunningham	Goldberg	Maher	Schmidt	Whitney G H
Cuvillier	Gray	Mallon	Schoeneck	Winters
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same with amendments.

Mr. Speaker announced the special order, being the bill (No. 2660) entitled "An act to amend the Penal Code, in relation to the punishment for the crime of burglary." (Int. No. 1638.)

Said bill having been announced for third reading, Mr. Cuvillier moved that said bill be recommitted to the committee on codes, with instructions to report the same forthwith amended as follows:

On page 2, line 7, after the words "forty years" insert the following words: "and the presiding judge may in his discretion impose a life sentence".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Mead	Smith A E
Blue	Duell	Harawitz	Merritt	Smith C
Bohan	Eagleton	Harper	Miller	Smith Myron
Boshart	Eggleston	Harris	Mills	Staley
Brady	Eichhorn	Hart	Mooney	Stevenson
Brooks	Farrell	Hastings	Moreland	Stratton
Brough	Ferguson	Hoey	Murphy C F	Surpluss
Brown	Feth	Holmes	Murphy G W	Todd
Buckley	Filley	Hooper	Nevins	Volk
Burhyte	Flanagan	Hubbs	Newton	Waddell
Burns	Foley C F	Hurd	Northrup	Wagner
Burzynski	Foley J A	Huth	Norton	Wainwright
Cavanaugh	Fowler	Jackson	O'Brian	Walters
Chamberlain	Francis	Jacobs	Oliver	Waters
Cole	Ganly	Keller	Parker	Weber
Collins	Garbe	Lansing	Phillips	Weimert
Colne	Geoghagan	Lee	Prentice	Wells
Conklin	Glore	Lewis	Ralston	West

Conrady	Gluck	Lowe	Reece	Whitley
Croak	Glynn	Lupton	Rogers	Whitney F G
Cunningham	Goldberg	Maher	Schmidt	Whitney G H
Cuvillier	Gray	Mallon	Schoeneck	Winters
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2650) entitled "An act to amend section twenty-one of the Civil Service Law, in relation to power of removal." (Int. No. 1370.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 3

Those who voted in the affirmative were:

Allen	Dobbs	Green	Mallon	Sheridan
Apgar	Dominy	Gunderman	Mance	Shuttleworth
Baldwin	Dowling	Hackett	Marlatt	Sinclair
Baumann	Draper	Haines	Matthews	Smith A E
Blue	Dudley	Hamilton	McCue	Smith C
Bohan	Duell	Hammond	Mead	Smith Myron
Boshart	Eagleton	Harawitz	Merritt	Staley
Brady	Eggleston	Harper	Miller	Stevenson
Brooks	Eichhorn	Harris	Mills	Stratton
Brough	Farrell	Hart	Mooney	Surpless
Brown	Ferguson	Hastings	Moreland	Todd
Buckley	Feth	Hoev	Murphy C F	Volk
Burhyte	Filley	Holmes	Murphy G W	Waddell
Burns	Flanagan	Hooper	Nevins	Wagner
Burzynski	Foley C F	Hubbs	Newton	Walters
Cavanaugh	Foley J A	Hurd	Northrup	Waters
Chamberlain	Fowler	Huth	Norton	Weber
Cole	Francis	Jackson	Oliver	Weimert
Collins	Ganly	Jacobs	Parker	Wells
Colné	Garbe	Keller	Phillips	West
Conklin	Geoghagan	Lansing	Ralston	Whitley
Conrady	Glore	Lee	Reece	Whitney F G
Croak	Gluck	Lewis	Rogers	Whitney G H
Cunningham	Glynn	Lowe	Schmidt	Winters
Cuvillier	Goldberg	Lupton	Schoeneck	Young
De Groot	Gray	Maher	Schulz	

Those who voted in the negative were:

O'Brian	Prentice	Wainwright
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Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2643) entitled "An act to authorize the grant by the city of Yonkers to the New York Central and Hudson River Railroad Company for railroad purposes of a portion of the lands granted to the city of Yonkers by chapter five hundred and sixty-two of the Laws of eighteen hundred and ninety-nine." (Int. No. 1598.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Mead	Smith A E
Blue	Duell	Harawitz	Merritt	Smith C
Bohan	Eagleton	Harper	Miller	Smith Myron
Boshart	Eggleston	Harris	Mills	Staley
Brady	Eichhorn	Hart	Mooney	Stevenson
Brooks	Farrell	Hastings	Moreland	Stratton
Brough	Ferguson	Hoey	Murphy C F	Surpless
Brown	Feth	Holmes	Murphy G W	Todd
Buckley	Filley	Hooper	Nevins	Volk
Burhyte	Flanagan	Hubbs	Newton	Waddell
Burns	Foley C F	Hurd	Northrup	Wagner
Burzynski	Foley J A	Huth	Norton	Wainwright
Cavanaugh	Fowler	Jackson	O'Brian	Walters
Chamberlain	Francis	Jacobs	Oliver	Waters
Cole	Ganly	Keller	Parker	Weber
Collins	Garbe	Lansing	Phillips	Weimert
Colné	Geoghagan	Lee	Prentice	Wells
Conklin	Glore	Lewis	Ralston	West
Conrady	Gluck	Lowe	Reece	Whitley
Croak	Glynn	Lupton	Rogers	Whitney F G
Cunningham	Goldberg	Maher	Schmidt	Whitney G H
Cuvillier	Gray	Mallon	Schoeneck	Winters
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2642) entitled "An act to amend chapter twenty-six of the Laws of eighteen hundred and eighty-five, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,' relative to city and ward boundaries." (Int. No. 1802.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Mead	Smith A E
Blue	Duell	Harawitz	Merritt	Smith C
Bohan	Eagleton	Harper	Miller	Smith Myron
Boshart	Eggleston	Harris	Mills	Staley
Brady	Eichhorn	Hart	Mooney	Stevenson
Brooks	Farrell	Hastings	Moreland	Stratton
Brough	Ferguson	Hoey	Murphy C F	Surpless
Brown	Feth	Holmes	Murphy G W	Todd
Buckley	Filley	Hooper	Nevins	Volk
Burhyte	Flanagan	Hubbs	Newton	Waddell
Burns	Foley C F	Hurd	Northrup	Wagner
Burzynski	Foley J A	Huth	Norton	Wainwright
Cavanaugh	Fowler	Jackson	O'Brian	Walters
Chamberlain	Francis	Jacobs	Oliver	Waters
Cole	Ganly	Keller	Parker	Weber
Collins	Garbe	Lansing	Phillips	Weimert
Colné	Geoghagan	Lee	Prentice	Wells
Conklin	Glore	Lewis	Ralston	West
Conrady	Gluck	Lowe	Reece	Whitley
Croak	Glynn	Lupton	Rogers	Whitney F G
Cunningham	Goldberg	Maher	Schmidt	Whitney G H
Cuvillier	Gray	Mallon	Schoeneck	Winters
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2652) entitled "An act to amend chapter sixty-three of the Laws

of nineteen hundred and two, entitled 'An act to incorporate the city of Fulton,' relating to limitation of actions against the city." (Int. No. 836.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 1

Those who voted in the affirmative were:

Allen	Dominy	Gunderman	Mance	Sheridan
Apgar	Dowling	Hackett	Marlatt	Shuttleworth
Baldwin	Draper	Haines	Matthews	Sinclair
Baumann	Dudley	Hamilton	McCue	Smith A E
Blue	Duell	Hammond	Mead	Smith C
Bohan	Eagleton	Harawitz	Merritt	Smith Myron
Boshart	Eggleston	Harper	Miller	Staley
Brady	Eichhorn	Harris	Mills	Stevenson
Brooks	Farrell	Hart	Mooney	Stratton
Brough	Ferguson	Hastings	Murphy C F	Surpless
Brown	Feth	Hoey	Murphy G W	Todd
Buckley	Filley	Holmes	Nevins	Volk
Burhyte	Flanagan	Hooper	Newton	Waddell
Burns	Foley C F	Hubbs	Northrup	Wagner
Burzynski	Foley J A	Hurd	Norton	Wainwright
Cavanaugh	Fowler	Huth	O'Brian	Walters
Chamberlain	Francis	Jackson	Oliver	Waters
Cole	Ganly	Jacobs	Parker	Weber
Collins	Garbe	Keller	Phillips	Weimert
Colné	Geoghagan	Lansing	Prentice	Wells
Conklin	Glore	Lee	Ralston	West
Conrady	Gluck	Lewis	Reece	Whitley
Croak	Glynn	Lowe	Rogers	Whitney F G
Cunningham	Goldberg	Lupton	Schmidt	Whitney G H
Cuvillier	Gray	Maher	Schoeneck	Winters
De Groot	Green	Mallon	Schulz	Young
Dobbs				

In the negative:

Moreland

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the bill (No. 2635) entitled "An act to amend chapter two hundred and eighty-eight of the Laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Hornellsville and to change the name thereof,' generally." (Int. No. 1290.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Mead	Smith A E
Blue	Duell	Harawitz	Merritt	Smith C
Bohan	Eagleton	Harper	Miller	Smith Myron
Boshart	Eggleston	Harris	Mills	Staley
Brady	Eichhorn	Hart	Mooney	Stevenson
Brooks	Farrell	Hastings	Moreland	Stratton
Brough	Ferguson	Hoey	Murphy C F	Surpless
Brown	Feth	Holmes	Murphy G W	Todd
Buckley	Filley	Hooper	Nevins	Volk
Burhyte	Flanagan	Hubbs	Newton	Waddell
Burns	Foley C F	Hurd	Northrup	Wagner
Burzynski	Foley J A	Huth	Norton	Wainwright
Cavanaugh	Fowler	Jackson	O'Brian	Walters
Chamberlain	Francis	Jacobs	Oliver	Waters
Cole	Ganly	Keller	Parker	Weber
Collins	Garbe	Lansing	Phillips	Weimert
Colné	Geoghagan	Lee	Prentice	Wells
Conklin	Glore	Lewis	Ralston	West
Conrad	Gluck	Lowe	Reece	Whitley
Croak	Glynn	Lupton	Rogers	Whitney F G
Cunningham	Goldberg	Maher	Schmidt	Whitney G H
Cuvillier	Gray	Mallon	Schoeneck	Winters
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

Mr. Speaker announced the special order, being the bill (No. 2654) entitled "An act to amend chapter six hundred and five of the Laws of eighteen hundred and ninety-eight, entitled 'An act to incorporate the Genesee River Company, and to authorize the said company to construct and use a dam or reservoir near Portageville for improving and preserving the public health, checking floods, furnishing water for the enlarged Erie canal and for municipal purposes, and developing, utilizing and disposing of the waters and water power of said river and its tributaries above and below said dam or reservoir,' generally." (Int. No. 1699.)

Said bill having been announced for third reading, debate was had thereon.

Mr. Sheridan moved to postpone action on said bill until Tuesday next.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 83

NOES 21

Those who voted in the affirmative were:

Apgar	De Groot	Hackett	Mead	Sinclair
Blue	Dobbs	Haines	Miller	Smith A E
Bohan	Dominy	Hamilton	Mills	Smith Myron
Boshart	Dowling	Hammond	Moreland	Staley
Brady	Draper	Hamn	Murphy C F	Stanton
Brooks	Eagleton	Harper	Newton	Surpless
Brough	Eggleston	Hastings	Oliver	Voss
Brown	Eichhorn	Hoey	Prentice	Waddell
Burhyte	Farrell	Holmes	Ralston	Wagner
Burns	Ferguson	Hurd	Reece	Wainwright
Cavanaugh	Feth	Lansing	Robinson	Waters
Chamberlain	Filley	Lee	Rogers	West
Cole	Fowler	Lewis	Schmidt	Whitney F G
Collins	Francis	Lowe	Schoeneck	Whitney G H
Colné	Glore	Lupton	Schwegler	Yale
Conklin	Green	Maher	Shuttleworth	Young
Cuvillier	Gunderman	Matthews		

Those who voted in the negative were:

Averill	Ganly	Harris	Mallon	Schulz
Buckley	Garbe	Hart	Morgan	Sheridan
Croak	Geoghagan	Jackson	O'Brian	Weimert
Donnelly	Glynn	Jacobs	Patton	Whitley
Fay				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2651) entitled "An act to amend the Penal Code, in relation to enticing inmates from certain State institutions." (Int. No. 1737.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Mead	Smith A E
Blue	Duell	Harawitz	Merritt	Smith C
Bohan	Eagleton	Harper	Miller	Smith Myron
Boshart	Eggleston	Harris	Mills	Staley
Brady	Eichhorn	Hart	Mooney	Stevenson
Brooks	Farrell	Hastings	Moreland	Stratton
Brough	Ferguson	Hoeey	Murphy C F	Surplless
Brown	Feth	Holmes	Murphy G W	Todd
Buckley	Filley	Hooper	Nevins	Volk
Burhyte	Flanagan	Hubbs	Newton	Waddell
Burns	Foley C F	Hurd	Northrup	Wagner
Burzynski	Foley J A	Huth	Norton	Wainwright
Cavanaugh	Fowler	Jackson	O'Brian	Walters
Chamberlain	Francis	Jacobs	Oliver	Waters
Cole	Ganly	Keller	Parker	Weber
Collins	Garbe	Lansing	Phillips	Weimert
Colné	Geoghagan	Lee	Prentice	Wells
Conklin	Glore	Lewis	Ralston	West
Conrady	Gluck	Lowe	Reece	Whitley
Croak	Glynn	Lupton	Rogers	Whitney F G
Cunningham	Goldberg	Maher	Schmidt	Whitney G H
Cuvillier	Gray	Mallon	Schoeneck	Winters
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Hammond in the chair.

Mr. Speaker announced the special order, being the bill (No. 2531) entitled "An act to authorize the city of Mount Vernon to issue bonds for the purpose of defraying a deficiency in the police fund for the fiscal year beginning May first, nineteen hundred and seven." (Int. No. 1784.)

On motion of Mr. Duell, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Mead	Smith A E
Blue	Duell	Harawitz	Merritt	Smith C
Bohan	Eagleton	Harper	Miller	Smith Myron
Boshart	Eggleston	Harris	Mills	Staley
Brady	Eichhorn	Hart	Mooney	Stevenson
Brooks	Farrell	Hastings	Moreland	Stratton
Brough	Ferguson	Hoe	Murphy C F	Surpless
Brown	Feth	Holmes	Murphy G W	Todd
Buckley	Filley	Hooper	Nevins	Volk
Burhyte	Flanagan	Hubbs	Newton	Waddell
Burns	Foley C F	Hurd	Northrup	Wagner
Burzynski	Foley J A	Huth	Norton	Wainwright
Cavanaugh	Fowler	Jackson	O'Brian	Walters
Chamberlain	Francis	Jacobs	Oliver	Waters
Cole	Ganly	Keller	Parker	Weber
Collins	Garbe	Lansing	Phillips	Weimert
Colné	Geoghagan	Lee	Prentice	Wells
Conklin	Glore	Lewis	Ralston	West
Conrady	Gluck	Lowe	Reece	Whitley
Croak	Glynn	Lupton	Rogers	Whitney F G
Cunningham	Goldberg	Maher	Schmidt	Whitney G H
Cuvillier	Gray	Mallon	Schoeneck	Winters
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2657) entitled "An act fixing standards of purity, illuminating power and pressure of gas in cities of the second class." (Int. No. 1814.)

On motion of Mr. Fowler, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumana	Dudley	Hammond	Mead	Smith A E
Blue	Duell	Harawitz	Merritt	Smith C
Bohan	Eagleton	Harper	Miller	Smith Myron
Boshart	Eggleston	Harris	Mills	Staley
Brady	Eichhorn	Hart	Mooney	Stevenson
Brooks	Farrell	Hastings	Moreland	Stratton
Brough	Ferguson	Hoey	Murphy C F	Surpless
Brown	Feth	Holmes	Murphy G W	Todd
Buckley	Filley	Hooper	Nevins	Volk
Burhyte	Flanagan	Hubbs	Newton	Waddell
Burns	Foley C F	Hurd	Northrup	Wagner
Burzynski	Foley J A	Huth	Norton	Wainwright
Cavanaugh	Fowler	Jackson	O'Brian	Walters
Chamberlain	Francis	Jacobs	Oliver	Waters
Cole	Ganly	Keller	Parker	Weber
Collins	Garbe	Lansing	Phillips	Weimert
Colné	Geoghagan	Lee	Prentice	Wells
Conklin	Glore	Lewis	Ralston	West
Conrad	Gluck	Lowe	Rreece	Whitley
Croak	Glynn	Lupton	Rogers	Whitney F G
Cunningham	Goldberg	Maher	Schmidt	Whitney G H
Ouvillier	Gray	Mallon	Schoeneck	Winters
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2658) entitled "An act to amend the Greater New York charter, being chapter three hundred and seventy-eight of the Laws of eighteen hundred and ninety-seven, as amended by chapter four hundred and sixty-six of the Laws of nineteen hundred and one, relative to inspection of boilers and engines, and the qualification and licensing of engineers" (Int. No. 959), said bill having been announced for second reading,

Mr. Reece moved to amend as follows:

In first line of title, after "charter" strike out balance of line.

Strike out lines 2 and 3 of title, and in line 4 of title strike out "sixty-six of the laws of nineteen hundred and one".

On page 1, line 3, after "charter" strike out balance of line and insert in place thereof "as re-enacted by chapter four hundred and sixty-six of the laws of nineteen hundred and one".

On page 1, strike out lines 4 and 5, and on line 6, strike out "sixty-six of the laws of nineteen hundred and one".

On page 1, line 7, strike out "so as".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to special order of second and third reading.

Mr. Speaker announced the special order, being the bill (No. 2659) entitled "An act to amend chapter thirty-seven of the Laws of nineteen hundred and one, as amended by chapter three hundred and fifty-one of the Laws of nineteen hundred and three, entitled 'An act authorizing appropriations by the board of supervisors of Rockland county for the support and maintenance of the inmates of the Nyack Hospital.'" (Int. No. 1821.)

On motion of Mr. Hurd, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Sheridan
Apgar	Dowling	Haines	McCue	Shuttleworth
Baldwin	Draper	Hamilton	Mead	Sinclair
Baumann	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Smith Myron
Boshart	Eggleston	Harris	Mooney	Staley
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Surpless
Brown	Feth	Holmes	Nevins	Todd
Buckley	Filley	Hooper	Newton	Volk
Burhyte	Flanagan	Hubbs	Northrup	Waddell
Burns	Foley C F	Hurd	Norton	Wagner
Burzynski	Foley J A	Huth	O'Brian	Wainwright
Cavanaugh	Fowler	Jackson	Oliver	Walters
Chamberlain	Francis	Jacobs	Parker	Waters
Cole	Ganly	Keller	Patton	Weber
Collins	Garbe	Lansing	Phillips	Weimert
Colné	Geoghagan	Lee	Prentice	Wells
Conklin	Glore	Lewis	Ralston	West
Conrady	Gluck	Lowe	Reece	Whitley
Croak	Glynn	Lupton	Rogers	Whitney F G
Cunningham	Goldberg	Maher	Schmidt	Whitney G H
Cavillier	Gray	Mallon	Schoeneck	Winters
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman	Marlatt		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2242) entitled "An act to amend chapter three hundred and thirty-four of the Laws of nineteen hundred and one, entitled 'An act in relation to tenement-houses in cities of the first class,' relative to bakeries." (Int. No. 1652.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 1

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Mead	Smith A E
Blue	Duell	Harawitz	Merritt	Smith C
Bohan	Eagleton	Harper	Miller	Smith Myron
Boshart	Eggleston	Harris	Mills	Staley
Brady	Eichhorn	Hart	Mooney	Stevenson
Brooks	Farrell	Hastings	Moreland	Stratton
Brough	Ferguson	Hoey	Murphy C F	Surpless
Brown	Feth	Holmes	Murphy G W	Todd
Buckley	Filley	Hooper	Nevins	Volk
Burhyte	Flanagan	Hubbs	Newton	Waddell
Burns	Foley C F	Hurd	Northrup	Wagner
Burzynski	Foley J A	Huth	Norton	Wainwright
Cavanaugh	Fowler	Jackson	O'Brian	Walters
Chamberlain	Francis	Jacobs	Oliver	Waters
Cole	Ganly	Keller	Parker	Weber
Collins	Garbe	Lansing	Patton	Weimert
Colné	Geoghagan	Lee	Phillips	Wells
Conklin	Glore	Lewis	Ralston	West
Conrady	Gluck	Lowe	Reece	Whitley
Croak	Glynn	Lupton	Rogers	Whitney F G
Cunningham	Goldberg	Maher	Schmidt	Whitney G H
Cuvillier	Gray	Mallon	Schoeneck	Winters
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman			

In the negative:

Prentice

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2527) entitled "An act to amend the Code of Civil Procedure, in relation to the conveyance of real estate by executors and administrators, in certain cases." (Int. No. 538.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Sheridan
Apgar	Dowling	Haines	McCue	Shuttleworth
Baldwin	Draper	Hamilton	Mead	Sinclair
Baumann	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Smith Myron
Boshart	Eggleston	Harris	Mooney	Staley
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Surpless
Brown	Feth	Holmes	Nevins	Todd
Buckley	Filley	Hooper	Newton	Volk
Burhyte	Flanagan	Hubbs	Northrup	Waddell
Burns	Foley C F	Hurd	Norton	Wagner
Burzynski	Foley J A	Huth	O'Brian	Wainwright
Cavanaugh	Fowler	Jackson	Oliver	Walters
Chamberlain	Francis	Jacobs	Parker	Waters
Cole	Ganly	Keller	Patton	Weber
Collins	Garbe	Lansing	Phillips	Weimert
Colné	Geoghagan	Lee	Prentice	Wells
Conklin	Glore	Lewis	Ralston	West
Conrady	Gluck	Lowe	Reece	Whitley
Croak	Glynn	Lupton	Rogers	Whitney F G
Cunningham	Goldberg	Maher	Schmidt	Whitney G H
Cuvillier	Gray	Mallon	Schoeneck	Winters
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman	Marlatt		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2423) entitled "An act to provide for refunding certain taxes erroneously paid into the treasury of the State by certain foreign life insurance companies domiciled in the State of Connecticut." (Int. No. 1729.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Mead	Smith A E
Blue	Duell	Harawitz	Merritt	Smith C
Bohan	Eagleton	Harper	Miller	Smith Myron
Boshart	Eggleston	Harris	Mills	Staley
Brady	Eichhorn	Hart	Mooney	Stevenson
Brooks	Farrell	Hastings	Moreland	Stratton
Brough	Ferguson	Hoey	Murphy C F	Surpless
Brown	Feth	Holmes	Murphy G W	Todd
Buckley	Filley	Hooper	Nevins	Volk
Burhyte	Flanagan	Hubbs	Newton	Waddell
Burns	Foley C F	Hurd	Northrup	Wagner
Burzynski	Foley J A	Huth	Norton	Wainwright
Cavanaugh	Fowler	Jackson	O'Brian	Walters
Chamberlain	Francis	Jacobs	Oliver	Waters
Cole	Ganly	Keller	Parker	Weber
Collins	Garbe	Lansing	Phillips	Weimert
Colné	Geoghagan	Lee	Prentice	Wells
Conklin	Glore	Lewis	Ralston	West
Conrady	Gluck	Lowe	Reece	Whitley
Croak	Glynn	Lupton	Rogers	Whitney F G
Cunningham	Goldberg	Maher	Schmidt	Whitney G H
Cuvillier	Gray	Mallon	Schoeneck	Winters
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2589) entitled "An act to amend the Penal Code, in relation to the privileges of witnesses in investigations and proceedings relating to rebates and allowances by life insurance corporations." (Int. No. 1641.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Mead	Smith A E
Blue	Duell	Harawitz	Merritt	Smith C
Bohan	Eagleton	Harper	Miller	Smith Myron
Boshart	Eggleston	Harris	Mills	Staley
Brady	Eichhorn	Hart	Mooney	Stevenson
Brooks	Farrell	Hastings	Moreland	Stratton
Brough	Ferguson	Hoe	Murphy C F	Surpless
Brown	Feth	Holmes	Murphy G W	Todd
Buckley	Filley	Hooper	Nevins	Volk
Burhyte	Flanagan	Hubbs	Newton	Waddell
Burns	Foley C F	Hurd	Northrup	Wagner
Burzynski	Foley J A	Huth	Norton	Wainwright
Cavanaugh	Fowler	Jackson	O'Brian	Walters
Chamberlain	Francis	Jacobs	Oliver	Waters
Cole	Ganly	Keller	Parker	Weber
Collins	Garbe	Lansing	Phillips	Weimert
Colné	Geoghagan	Lee	Prentice	Wells
Conklin	Glore	Lewis	Ralston	West
Conrady	Gluck	Lowe	Reece	Whitley
Croak	Glynn	Lupton	Rogers	Whitney F G
Cunningham	Goldberg	Maher	Schmidt	Whitney G H
Cuvillier	Gray	Mallon	Schoeneck	Winters
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2663) entitled "An act to amend the Agricultural Law, in relation to the employment of persons having, or who have, been exposed to any contagious or infectious disease in any dairy or creamery or on any farm where milk is produced for sale or manufacture into any article of food, and the sale of such articles of food." (Int. No. 1851.)

On motion of Mr. Boshart, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Mead	Smith A E
Blue	Duell	Harawitz	Merritt	Smith C
Bohan	Eagleton	Harper	Miller	Smith Myron
Boshart	Eggleston	Harris	Mills	Staley
Brady	Eichhorn	Hart	Mooney	Stevenson
Brooks	Farrell	Hastings	Moreland	Stratton
Brough	Ferguson	Hoe	Murphy C F	Surpless
Brown	Feth	Holmes	Murphy G W	Todd
Buckle	Filley	Hooper	Nevins	Volk
Burhyte	Flanagan	Hubbs	Newton	Waddell
Burns	Foley C F	Hurd	Northrup	Wagner
Burzynski	Foley J A	Huth	Norton	Wainwright
Cavanaugh	Fowler	Jackson	O'Brian	Walters
Chamberlain	Francis	Jacobs	Oliver	Waters
Cole	Ganly	Keller	Parker	Weber
Collins	Garbe	Lansing	Phillips	Weimert
Colné	Geoghagan	Lee	Prentice	Wells
Conklin	Glore	Lewis	Ralston	West
Conrady	Gluck	Lowe	Reece	Whitley
Croak	Glynn	Lupton	Rogers	Whitney F G
Cunningham	Goldberg	Maher	Schmidt	Whitney G H
Cuvillier	Gray	Mallon	Schoeneck	Winters
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2648) entitled "An act to amend the Insurance Law, in relation to insurance of pianos." (Int. No. 1848.)

On motion of Mr. C. F. Murphy, said bill was read the second time and ordered to a third reading.

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Mead	Smith A E
Blue	Duell	Harawitz	Merritt	Smith C
Bohan	Eagleton	Harper	Miller	Smith Myron
Boshart	Eggleston	Harris	Mills	Staley
Brady	Eichhorn	Hart	Mooney	Stevenson
Brooks	Farrell	Hastings	Moreland	Stratton
Brough	Ferguson	Hoey	Murphy C F	Surpless
Brown	Feth	Holmes	Murphy G W	Todd
Buckley	Filley	Hooper	Nevins	Volk
Burhyte	Flanagan	Hubbs	Newton	Waddell
Burns	Foley C F	Hurd	Northrup	Wagner
Burzynski	Foley J A	Huth	Norton	Wainwright
Cavanaugh	Fowler	Jackson	O'Brian	Walters
Chamberlain	Francis	Jacobs	Oliver	Waters
Cole	Ganly	Keller	Parker	Weber
Collins	Garbe	Lansing	Phillips	Weimert
Colné	Geoghagan	Lee	Prentice	Wells
Conklin	Glore	Lewis	Ralston	West
Conrady	Gluck	Lowe	Reece	Whitley.
Croak	Glynn	Lupton	Rogers	Whitney F G
Cunningham	Goldberg	Maher	Schmidt	Whitney G H
Cuvillier	Gray	Mallon	Schoeneck	Winters
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 837) entitled "An act to provide for holding a convention within the State of New York of delegates to be appointed by the governors of the several States for the purpose of devising and recommending to the Legislature thereof uniform laws, and making an appropriation therefor." (Int. No. 772.)

On motion of Mr. Merritt, said bill was read the second time and ordered to a third reading.

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 12

Those who voted in the affirmative were:

Allen	Dowling	Hamilton	Mead	Sinclair
Apgar	Draper	Hammond	Merritt	Smith A E
Baldwin	Dudley	Harawitz	Miller	Smith C
Baumann	Duell	Harper	Mills	Smith Myron
Blue	Eagleton	Harris	Mooney	Staley
Bohan	Ferguson	Hart	Murphy C F	Stevenson
Boshart	Feth	Hastings	Murphy G W	Stratton
Brooks	Filley	Hoe	Nevins	Surpless
Brough	Flanagan	Holmes	Newton	Todd
Brown	Foley J A	Hubbs	Northrup	Volk
Buckley	Fowler	Hurd	Norton	Waddell
Burhyte	Francis	Huth	O'Brian	Wagner
Burns	Ganly	Jacobs	Oliver	Wainwright
Burzynski	Garbe	Keller	Parker	Walters
Cavanaugh	Geoghagan	Lansing	Patton	Waters
Cole	Glore	Lewis	Phillips	Weber
Collins	Gluck	Lowe	Prentice	Weimert
Colné	Glynn	Lupton	Ralston	Wells
Conklin	Goldberg	Maher	Reece	West
Conrad	Gray	Mallon	Rogers	Whitley
Croak	Green	Mance	Schmidt	Whitney F G
Cunningham	Gunderman	Marlatt	Schulz	Whitney G H
Cuvillier	Hackett	Matthews	Sheridan	Winters
De Groot	Haines	McCue	Shuttleworth	Young
Dominy				

Those who voted in the negative were:

Brady	Eggleston	Foley C F	Jackson	Moreland
Chamberlain	Eichhorn	Hooper	Lee	Schoeneck
Dobbs	Farrell			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2645) entitled "An act to amend chapter five hundred and eighty-eight of the Laws of eighteen hundred and ninety-eight, entitled 'An act to erect the county of Nassau from the territory now comprised within the limits of the towns of Oyster Bay, North Hempstead and Hempstead, in the county of Queens,' relative to the salary of the county superintendent of the poor." (Int. No. 1843.)

On motion of Mr. Miller, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Mead	Smith A E
Blue	Duell	Harawitz	Merritt	Smith C
Bohan	Eagleton	Harper	Miller	Smith Myron
Boshart	Eggleston	Harris	Mills	Staley
Brady	Eichhorn	Hart	Mooney	Stevenson
Brooks	Farrell	Hastings	Moreland	Stratton
Brough	Ferguson	Hoey	Murphy C F	Surpless
Brown	Feth	Holmes	Murphy G W	Todd
Buckley	Filley	Hooper	Nevins	Volk
Burhyte	Flanagan	Hubbs	Newton	Waddell
Burns	Foley C F	Hurd	Northrup	Wagner
Burzynski	Foley J A	Huth	Norton	Wainwright
Cavanaugh	Fowler	Jackson	O'Brian	Walters
Cunningham	Francis	Jacobs	Oliver	Waters
Cole	Ganly	Keller	Parker	Weber
Collins	Garbe	Lansing	Phillips	Weimert
Colné	Geoghagan	Lee	Prentice	Wells
Conklin	Glore	Lewis	Ralston	West
Conrady	Gluck	Lowe	Reece	Whitley
Croak	Glynn	Lupton	Rogers	Whitney F G
Cunningham	Goldberg	Maher	Schmidt	Whitney G H
Cuvillier	Gray	Mallon	Schoeneck	Winters
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman.			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2649) entitled "An act to amend the Highway Law, relating to the cutting and removal of noxious weeds and brush, and providing for the same when the highway is in the boundary lines between two or more towns." (Int. No. 1849.)

On motion of Mr. Stratton, said bill was read the second time and ordered to a third reading.

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen.	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Mead	Smith A E
Blue	Duell	Harawitz	Merritt	Smith C
Bohan	Eagleton	Harper	Miller	Smith Myron
Boshart	Eggleston	Harris	Mills	Staley
Brady	Eichhorn	Hart	Mooney	Stevenson
Brooks	Farrell	Hastings	Moreland	Stratton
Brough	Ferguson	Hoe	Murphy C F	Surpless
Brown	Feth	Holmes	Murphy G W	Todd
Buckley	Filley	Hooper	Nevins	Volk
Burhyte	Flanagan	Hubbs	Newton	Waddell
Burns	Foley C F	Hurd	Northrup	Wagner
Burzynski	Foley J A	Huth	Norton	Wainwright
Cavanaugh	Fowler	Jackson	O'Brian	Walters
Chamberlain	Francis	Jacobs	Oliver	Waters
Cole	Ganly	Keller	Parker	Weber
Collins	Garbe	Lansing	Phillips	Weimert
Colné	Geoghagan	Lee	Prentice	Wells
Conklin	Glore	Lewis	Ralston	West
Conrady	Gluck	Lowe	Reece	Whitley
Croak	Glynn	Lupton	Rogers	Whitney F G
Cunningham	Goldberg	Maher	Schmidt	Whitney G H
Cuvillier	Gray	Mallon	Schoeneck	Winters
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2150) entitled "An act to provide for enumeration of the inhabitants of the village of Red Hook and for refunding excessive excise taxes collected in such village on an erroneous basis of population" (Int. No. 1591). Said bill having been announced for a second reading,

On motion of Mr. Moreland, and by unanimous consent, said bill was made a special order on second and third reading for Monday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 2665) entitled "An act to amend the Tax Law, in relation to the assessment of State lands for school purposes." (Int. No. 1853.)

On motion of Mr. Rogers, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Mead	Smith A E
Blue	Duell	Harawitz	Merritt	Smith C
Bohan	Eagleton	Harper	Miller	Smith Myron
Boshart	Eggleston	Harris	Mills	Staley
Brady	Eichhorn	Hart	Mooney	Stevenson
Brooks	Farrell	Hastings	Moreland	Stratton
Brough	Ferguson	Hoey	Murphy C F	Surpless
Brown	Feth	Holmes	Murphy G W	Todd
Buckley	Filley	Hooper	Nevins	Volk
Burhyte	Flanagan	Hubbs	Newton	Waddell
Burns	Foley C F	Hurd	Northrup	Wagner
Burzynski	Foley J A	Huth	Norton	Wainwright
Cavanaugh	Fowler	Jackson	O'Brian	Walters
Chamberlain	Francis	Jacobs	Oliver	Waters
Cole	Ganly	Keller	Parker	Weber
Collins	Garbe	Lansing	Phillips	Weimert
Colné	Geoghagan	Lee	Prentice	Wells
Conklin	Glore	Lewis	Ralston	West
Conrad	Gluck	Lowe	Reece	Whitley
Croak	Glynn	Lupton	Rogers	Whitney F G
Cunningham	Goldberg	Maher	Schmidt	Whitney G H
Cuvillier	Gray	Mallon	Schoeneck	Winters
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2601) entitled "An act to amend the Business Corporations Law, relative to the incorporation of educational institutions." (Int. No. 1819.)

On motion of Mr. Rogers, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Marlatt	Sheridan
Apgar	Dowling	Haines	Matthews	Shuttleworth
Baldwin	Draper	Hamilton	McCue	Sinclair
Baumann	Dudley	Hammond	Mead	Smith A E
Blue	Duell	Harawitz	Merritt	Smith C
Bohan	Eagleton	Harper	Miller	Smith Myron
Boshart	Eggleston	Harris	Mills	Staley
Brady	Eichhorn	Hart	Mooney	Stevenson
Brooks	Farrell	Hastings	Moreland	Stratton
Brough	Ferguson	Hoey	Murphy C F	Surpluss
Brown	Feth	Holmes	Murphy G W	Todd
Buckley	Filley	Hooper	Nevins	Volk
Burhyte	Flanagan	Hubbs	Newton	Waddell
Burns	Foley C F	Hurd	Northrup	Wagner
Burzynski	Foley J A	Huth	Norton	Wainwright
Cavanaugh	Fowler	Jackson	O'Brian	Walters
Chamberlain	Francis	Jacobs	Oliver	Waters
Cole	Ganly	Keller	Parker	Weber
Collins	Garbe	Lansing	Phillips	Weimert
Colné	Geoghagan	Lee	Prentice	Wells
Conklin	Glore	Lewis	Ralston	West
Conrady	Gluck	Lowe	Reece	Whitley
Croak	Glynn	Lupton	Rogers	Whitney F G
Cunningham	Goldberg	Maher	Schmidt	Whitney G H
Cuvillier	Gray	Mallon	Schoeneck	Winters
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2597) entitled "An act to amend subdivision five of section thirty of chapter one hundred and twelve of the Laws of eighteen hundred and ninety-six, entitled 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same and to provide for local option, constituting chapter twenty-nine of the

general laws,' in relation to persons to whom liquor shall not be sold or given away" (Int. No. 1817). Said bill having been announced for second reading, Mr. Moreland moved to amend as follows:

On line 4 of title, after "same" insert ",."

On page 1, line 6, after "follows:" and before "to" insert "5." and paragraph ~~at~~ and what follows.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to special order of second and third reading.

Mr. Speaker in the chair.

Mr. Speaker announced the special order, being the bill (No. 1784) entitled "An act to repeal sections sixty-two, sixty-three and sixty-four of the Transportation Corporations Law." (Int. No. 1404.)

On motion of Mr. Moreland, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Sheridan
Apgar	Dowling	Haines	McCue	Shuttleworth
Baldwin	Draper	Hamilton	Mead	Sinclair
Baumann	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Smith Myron
Boshart	Eggleston	Harris	Mooney	Staley
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Morgan	Stratton
Brough	Ferguson	Hoe	Murphy C F	Surpluss
Brown	Feth	Holmes	Murphy G W	Todd
Buckley	Filley	Hooper	Nevins	Volk
Burhyte	Flanagan	Hubbs	Newton	Waddell
Burns	Foley C F	Hurd	Northrup	Wagner
Burzynski	Foley J A	Huth	Norton	Wainwright

Cavanaugh	Fowler	Jackson	O'Brian	Walters
Chamberlain	Francis	Jacobs	Oliver	Waters
Cole	Ganly	Keller	Parker	Weber
Collins	Garbe	Lansing	Phillips	Weimert
Colné	Geoghagan	Lee	Prentice	Wells
Conklin	Glore	Lewis	Ralston	West
Conrady	Gluck	Lowe	Reece	Whitley
Croak	Glynn	Lupton	Rogers	Whitney F G
Cunningham	Goldberg	Maher	Schmidt	Whitney G H
Cuvillier	Gray	Mallon	Schoeneck	Winters
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman	Marlatt		

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Weimert moved to take from the table his motion to reconsider the vote by which Senate bill (No. 609, Rec. No. 266) entitled "An act to regulate transfers of goods in bulk," was recommitted to the committee on rules.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the reconsideration of the vote by which said bill was recommitted, and it was decided in the affirmative.

Said bill having been announced, on motion of Mr. Weimert, and by unanimous consent, said bill was made a special order on third reading for Tuesday next, immediately after the reading of the journal.

By unanimous consent, Mr. Fowler called up Assembly bill (No. 2041, Int. No. 1173) entitled "An act to amend chapter seven hundred and forty-seven of the Laws of eighteen hundred and ninety-six, entitled 'An act to revise and consolidate the several acts in relation to the city of Kingston, to revise the charter of said city, and to establish a city court therein and define its jurisdiction and powers,' generally," returned by the mayor of the city of Kingston.

Said bill having been announced, Mr. Fowler moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Sheridan
Apgar	Dowling	Haines	McCue	Shuttleworth
Baldwin	Draper	Hamilton	Mead	Sinclair
Baumann	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Hamn	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Smith Myron
Boshart	Eggleston	Harris	Mooney	Staley
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Surpless
Brown	Feth	Holmes	Nevins	Todd
Buckley	Filley	Hooper	Newton	Volk
Burhyte	Flanagan	Hubbs	Northrup	Waddell
Burns	Foley C F	Hurd	Norton	Wagner
Burzynski	Foley J A	Huth	O'Brian	Wainwright
Cavanaugh	Fowler	Jackson	Oliver	Walters
Chamberlain	Francis	Jacobs	Parker	Waters
Cole	Ganly	Keller	Patton	Weber
Collins	Garbe	Lansing	Phillips	Weimert
Colné	Geoghagan	Lee	Prentice	Wells
Conklin	Glore	Lewis	Ralston	West
Conrad	Gluck	Lowe	Reece	Whitley
Croak	Glynn	Lupton	Rogers	Whitney F G
Cunningham	Goldberg	Maher	Schmidt	Whitney G H
Cuvillier	Gray	Mallon	Schoeneck	Winters
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman	Marlatt		

Mr. Fowler moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Strike out all beginning with line 18, page 13, and ending with line 6, page 16.

Line 7, page 16, change § 18 to § 17.

Line 13, page 16, change § 19 to § 18.

Line 26, page 16, change § 20 to § 19.

Line 14, page 17, change § 21 to § 20.

Line 20, page 17, change § 22 to § 21.

Line 9, page 18, change § 23 to § 22.

Line 22, page 18, change § 24 to § 23.

Line 7, page 20, change § 25 to § 24.

Line 26, page 20, change § 26 to § 25.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Dowling, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate returned the Assembly bill (No. 1275, Senate reprint No. 1486, Int. No. 469) entitled "An act to amend the Railroad Law, in relation to imposing on certain railroad corporations, in cities of the first class, the duty of placing upon cars the name of the operating company," with a message that they have concurred in the passage of the same, with the following amendment:

On page 2, line 1, after "class" insert "having a population of one million inhabitants and upwards".

Mr. Surpless moved to concur in the Senate amendment:

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Allen	Dominy	Hackett	Matthews	Sheridan
Apgar	Dowling	Haines	McCue	Shuttleworth
Baldwin	Draper	Hamilton	Mead	Sinclair
Baumann	Dudley	Hammond	Merritt	Smith A E
Blue	Duell	Harawitz	Miller	Smith C
Bohan	Eagleton	Harper	Mills	Smith Myron
Boshart	Eggleston	Harris	Mooney	Staley
Brady	Eichhorn	Hart	Moreland	Stevenson
Brooks	Farrell	Hastings	Murphy C F	Stratton
Brough	Ferguson	Hoey	Murphy G W	Surpless
Brown	Feth	Holmes	Nevins	Todd
Buckley	Filley	Hooper	Newton	Volk
Burhyte	Flanagan	Hubbs	Northrup	Waddell
Burns	Foley C F	Hurd	Norton	Wagner
Burzynski	Foley J A	Huth	O'Brian	Wainwright
Cavanaugh	Fowler	Jackson	Oliver	Walters
Chamberlain	Francis	Jacobs	Parker	Waters
Cole	Ganly	Keller	Patton	Weber
Collins	Garbe	Lansing	Phillips	Weimert
Colné	Geoghagan	Lee	Prentice	Wells
Conklin	Glore	Lewis	Ralston	West
Conrady	Gluck	Lowe	Reece	Whitley
Croak	Glynn	Lupton	Rogers	Whitney F G
Cunningham	Goldberg	Maher	Schmidt	Whitney G H
Cuvillier	Gray	Mallon	Schoeneck	Winters
De Groot	Green	Mance	Schulz	Young
Dobbs	Gunderman	Marlatt		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

Mr. Draper offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 2105, Int. No. 1580), entitled "An act to amend chapter three hundred of the laws of nineteen hundred and four, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls,' in relation to the establishment of an industrial commission for said city," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Duell offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1736, Int. No. 1365), entitled "An act creating a board of public works in the city of New Rochelle, prescribing its powers and duties, conferring upon such board the duties of the commissioners of sewers, abolishing the office of city engineer and increasing the duties of superintendent of streets," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Patton offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1793, Int. No. 1184), entitled "An act to amend chapter three hundred and fifty-seven of the Laws of nineteen hundred and five, entitled 'An act to revise the several acts relative to the city of Tonawanda,' generally," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Allen offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 1867, Int. No. 1301), entitled "An act to revise and amend the charter of the city of Jamestown," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *May 9, 1907.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill (No. 955, Rec. No. 243), entitled "An act to amend the Consolidated School Law, in relation to the payment by the county of school taxes returned as unpaid in the county of Suffolk," for the purpose of amendment.

By order of the Senate,

LAFAYETTE B. GLEASON,  
*Clerk.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the Assembly bill (No. 2084, Senate reprint No. 1490, Int. No. 1571) entitled "An act to amend chapter one hundred eighty-one of the Laws of nineteen hundred and three, entitled 'An act to establish and maintain a water department in and for the city of Ithaca.'"

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Ithaca.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1736, Int. No. 1365) entitled "An act creating a board of public works in the city of New Rochelle, prescribing its powers and

duties, conferring upon such board the duties of the commissioners of sewers, abolishing the office of city engineer and increasing the duties of superintendent of streets," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1793, Int. No. 1184) entitled "An act to amend chapter three hundred and fifty-seven of the Laws of nineteen hundred and five, entitled 'An act to revise the several acts relative to the city of Tonawanda,' generally," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 2105, Int. No. 1580) entitled "An act to amend chapter three hundred of the Laws of nineteen hundred and four, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls,' in relation to the establishment of an industrial commission for said city," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1867, Int. No. 1301) entitled "An act to revise and amend the charter of the city of Jamestown," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

On motion of Mr. Moreland, the House adjourned.

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FRIDAY, MAY 10, 1907.

The House met pursuant to adjournment.

Prayer by Rev. J. V. Wemple.

On motion of Mr. Moreland, the reading of the journal of yesterday was dispensed with, and the same was approved.

Mr. Speaker presented the annual report of the commission to acquire a site for the New York Training School for Boys, which was laid upon the table.

Mr. Waddell gives notice that he requests that the Assembly bill (No. 1474, Int. No. 1222) entitled "An act amending the Revised Statutes relating to State prisons, relative to the labor of prisoners in penal institutions," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Prentice gives notice that he requests that Assembly bill (No. 2624, Int. No. 1832) entitled "An act to amend the Primary Election Law, in relation to certified copies of certain enrollment records," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Lee gives notice that he requests that Assembly bill (No. 2605, Int. No. 1823) entitled "An act to amend the Code of Civil Procedure, in relation to Richmond county," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Eggleston gives notice that he requests that Assembly bill (No. 2632, Int. No. 1841) entitled "An act to amend the Agricultural Law, in relation to the manufacture and sale of vinegar," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Haines gives notice that he requests that the Senate bill (No. 374, Rec. No. 244) entitled "An act to amend chapter six hundred and thirty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Yonkers,' relative to members of disbanded fire, hose, engine and hook and ladder companies," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Dowling gives notice that he requests that Senate bill (No. 2549, Rec. No. 222) entitled "An act to amend the Greater New York charter, by providing for additional city magistrates, and for additional police clerks, assistant clerks, stenographers and interpreters for city magistrates' courts, in the second division of the city of New York," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Maher gives notice that he requests that Senate bill (No. 1462, Rec. No. 330) entitled "An act to establish a retirement fund for teachers, principals and supervisors of public schools in the city of Albany, and to regulate the collection, management and disbursement thereof," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. C. F. Murphy gives notice that he requests that the Senate bill (No. 501, Assembly reprint No. 2526, Rec. No. 75) entitled "An act to amend an act entitled 'An act in relation to the Municipal Court of the city of New York, its officers and marshals, being chapter five hundred and eighty of the Laws of nineteen hundred and two,' to authorize the formation of an appellate term in the second judicial department to appoint clerks and attendants, and to provide for the expenses thereof," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on third reading.

Mr. Croak gives notice that he requests that Assembly bill (No. 1868, Int. No. 1453) entitled "An act to amend the Greater New York charter, relative to employees of water works companies," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Wagner gives notice that he requests that Assembly bill (No. 1202, Int. No. 287) entitled "An act to amend the Code of Civil Procedure with respect to the City Court of the city

of New York, relating to an increase of the number of justices and salaries of justices, the duties of the justices abrogating the limitation of the clerk of the amount for which judgment may be entered, and repealing the section relating thereto, relating to the appointment and removal of clerks, attendants, et cetera, and their duties, creating an appellate term of the court for the hearing of appeals from the municipal courts of the city of New York and from the City Court, and providing how such appeals may be heard and judgments thereon enforced, and allowing appeals to the Appellate Division in certain cases from judgments of the City Court, and also in reference to other matters pertaining to the administration of the court," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on third reading.

Mr. Francis gives notice that he requests that the Senate bill (No. 1368, Rec. No. 349) entitled "An act to amend chapter three hundred and thirty-four of the Laws of nineteen hundred and one, entitled 'An act in relation to tenement houses in cities of the first class,' as heretofore amended," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Conklin gives notice that he requests that Assembly bill (No. 2655, Int. No. 1844) entitled "An act to amend the Greater New York charter, relating to the defining of the powers of the commissioners of accounts to conduct examinations and to compel the attendance of witnesses," a copy of which is hereto annexed, be made a special order, and asks that his request be referred to the committee on rules for the purpose of making the said bill a special order on second and third reading.

Mr. Hoey gives notice that he requests that Assembly bill (No. 1873, Int. No. 1459) entitled "An act to amend section twenty-one of chapter three hundred and seventy of the Laws of eighteen hundred and ninety-nine, entitled 'An act in relation to the civil service of the State of New York, and the cities and civil divisions thereof, constituting chapter three of the general laws,' a copy of which is hereto annexed, be made a special order, and asks that

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INDEX TO ASSEMBLY JOURNAL  
1907

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## PLAN OF INDEX.

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This Journal is indexed upon the following plan :

1. Every bill relating to a locality may be found indexed under the name of that locality and ordinarily will not be found indexed under the subject to which it relates.

2. All bills relating to Kings county will be found under the New York, General, and all bills relating to Greater New York under New York City, General, and New York City, Charter.

3. Every general bill will be found indexed under the proper subject.

4. Every resolution, excepting those recalling bills, will be found under "Resolutions."

5. Every bill relating to canals will be found under "Canals."

6. The bills relating to general laws under the proper heads, i. e., "Banking Law," "Benevolent Orders Law," "Game Law," "Lien Law," "Revised Statutes," &c., &c., also under the head "General Laws."

7. All claim bills under "Claims."

8. Bills relating to cities of either class under "Cities of 1st Class," "Cities of 2d Class," &c., &c.

9. All code amendments under the heads of "Code Civil," "Code Criminal," and "Code Penal."

10. All petitions under "Petitions," and reports under "Reports."

11. All points of order under "Points of Order."

12. All decisions and acts of Speaker under "Speaker."

13. Privileges of floor under "Privilege."

14. All matters not relating to bills under the proper head.

15. The numbers used in this index, viz.: "Int. No.," refers to Assembly bill and its introductory number, and when "Rec. No." is used, it refers to a Senate bill and its reception number.

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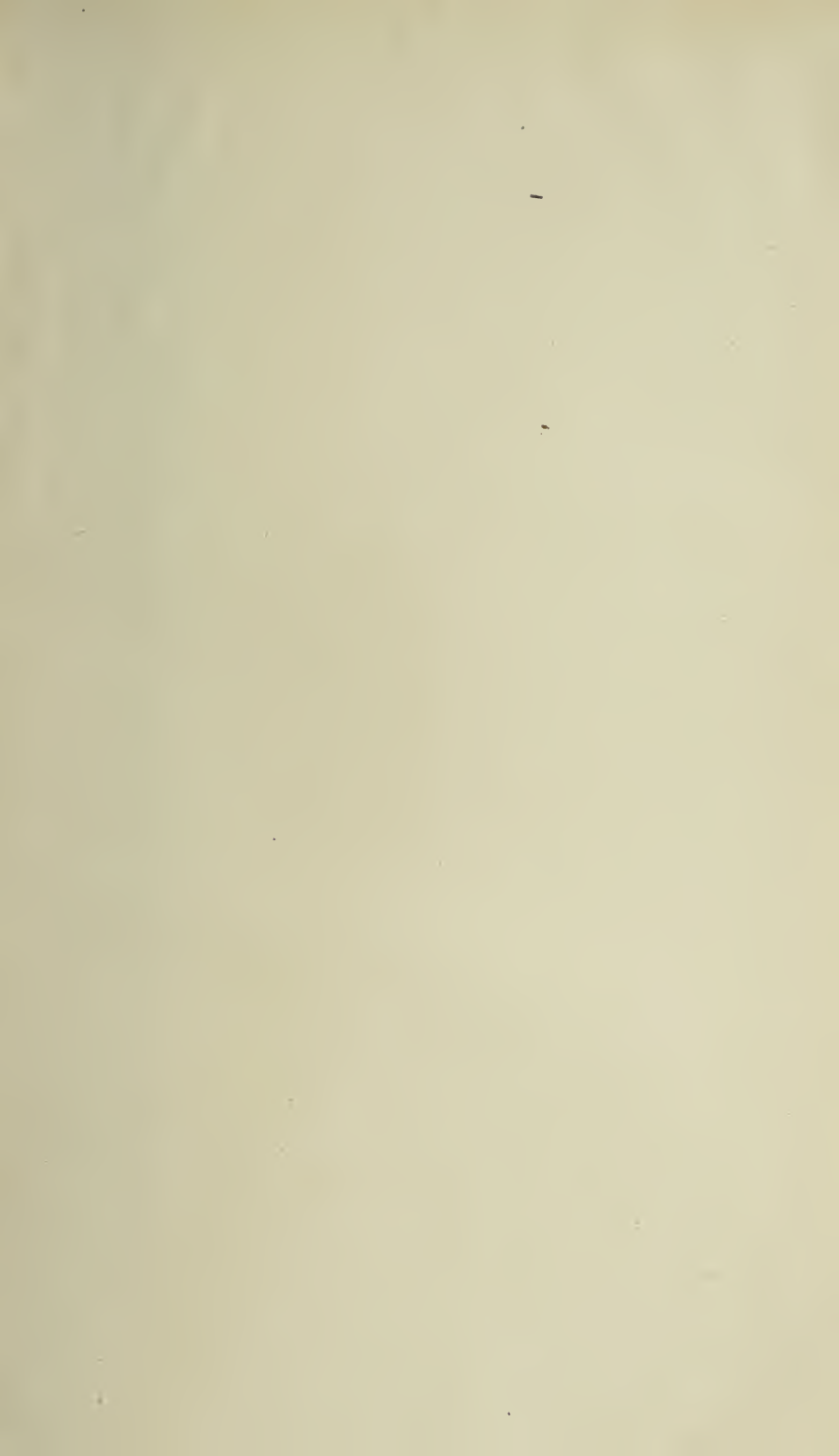
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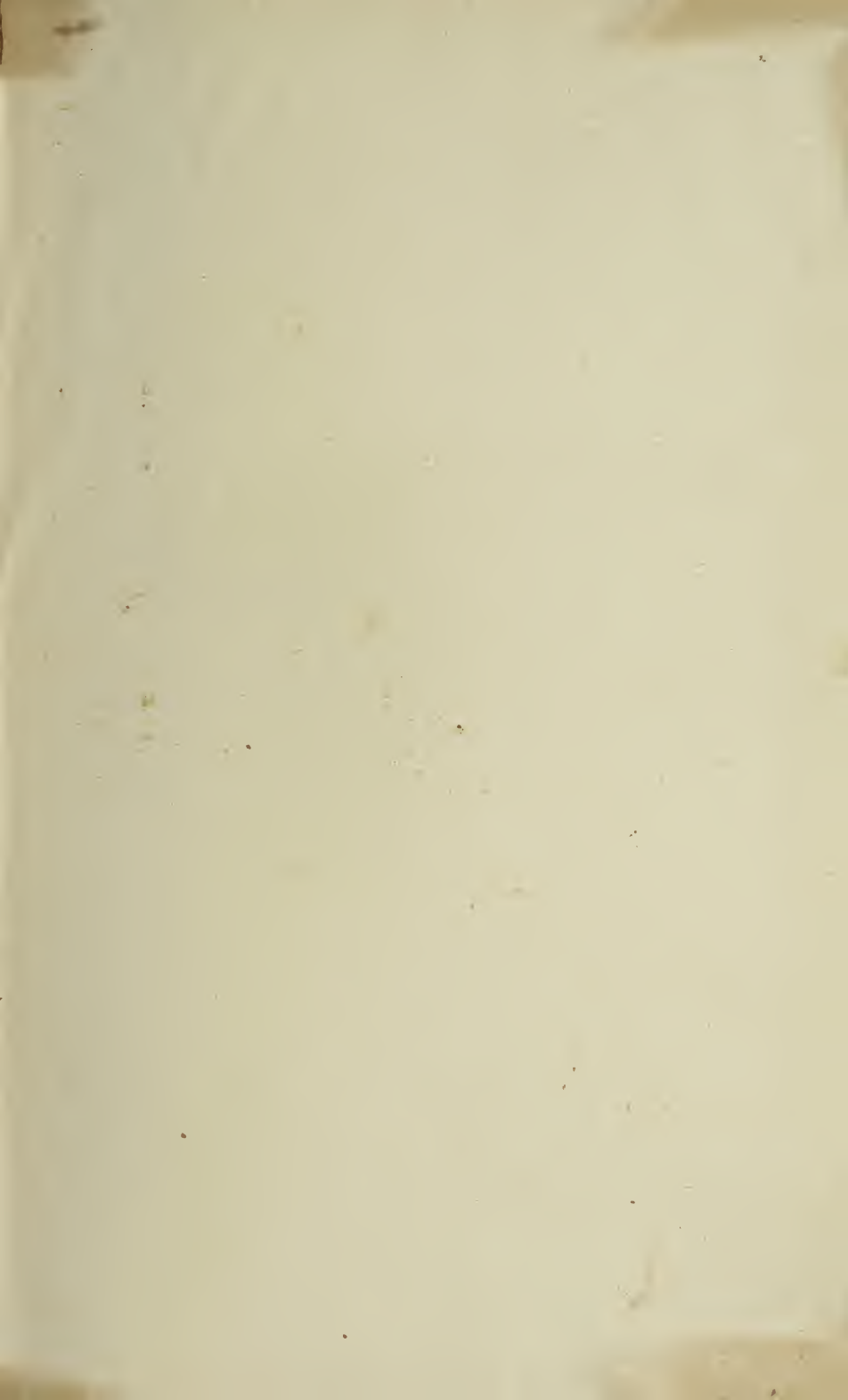
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